

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50228 of 2014

Arising Out of PS.Case No. -1234 Year- 2012 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

- =====
1. Meena Devi, W/o Sukhal Mahto, resident of village Chand Mohan, P.S. Kundwa Chainpur, District- East Champaran
 2. Raj Mahal Devi, W/o Pragash Mahto, Resident of Village- Hasanpur, P.S.- Kundwa Chainpur, District- East Champaran
 3. Dukha Mahto, Son of Late Bechu Mahto
 4. Sukha Mahto, Son of Late Bechu Mahto
 5. Mukha Mahto, Son of Late Bechu Mahto, Sl. No. 3 to 5 are residents of Village- Karsahiya, P.S.- Dhaka, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Kamli Devi, wife of Hari Shankar Mahto, resident of village- Khurahiya, P.S.- Ghorasahan, District- East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Jitendra Kr. Roy No.1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 07-08-2015

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a complaint case in which cognizance has been taken under sections 467, 468, 471, 420/34 of the Indian Penal Code.

The prosecution case is that the complainant is the sole heir of her parents. Her mother died in the year 2008. Thereafter her father developed illicit relation with the petitioner accused Meena Devi and she started residing with the father of the complainant. The complainant's father was working in Excise department who retired in the year 1995 and died subsequently. Meena Devi after death of father of complainant, Meena Devi executed two sale deed on 11...09.2012 with respect to the complainant's

land.

Notices were issued to O.P. no.2 the complainant. The office note dated 07.08.2015 reflects that the notices have been served but none has appeared on behalf of O.P. no.2.

Learned counsel for the petitioners submits that father of the complainant was married with petitioner no.1 and after her marriage she has inherited the property as such petitioner's no.2 to 5 are bonafide purchasers. The complainant has filed Title Suit No. 29 of 2013 for the same cause of action.

Considering the aforesaid facts, the above named petitioners in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of S.JD.J.M. Sikrahana at Motihar in complaint case No. 1234 of 2012, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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