

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35820 of 2015**

Arising Out of PS.Case No. -85 Year- 2015 Thana -RAJAU LI District- NAWADA

- =====
1. BASANTI DEVI wife of Ram Chandra Yadav, Resident of village- Jharitard, P.S.- Kodarma, District- Kodarma, At present of village- Kumharuya, P.S.- Rajauli, District- Nawada
  2. Prasadi Yadav son of Late Agam Yadav
  3. Ram Chandar Yadav @ Ram Chandra Yadav Son of Budhan Yadav
  4. Ashok Yadav son of Jhari Yadav
  5. Gauri Shandar Prasad @ Gorelal Yadav @ Gauri Shankar Son of Baleshwar Yadav

Petitioner No. 2 to 5 are Resident of village- Kumharuya, P.S.- Rajauli, District- Nawada

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Shanti Devi W/o Late Mahavir Yadav, R/v- Kumharuya, P.S.- Rajauli, Distt.- Nawada

.... .... Opposite Party/s

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**Appearance :**  
For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate  
For the Opposite Party/s : Mr. Bharat Lal (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      11-09-2015      Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 420, 423, 467, 468, 471, 120B of the Indian Penal Code.

The prosecution case is that petitioner no. 1 namely Basanti Devi fraudulently executed sale deed with



regard to 69 decimals of the land of the informant in favour of petitioner no. 2 namely Prasadi Yadav on 16.03.2015 by registered sale deed dated 26.03.2015, wherein petitioner no. 3 Ram Chandar Yadav @ Ram Chandra Yadav is the identifier of Basanti Devi and petitioner no. 4 namely Ashok Yadav and petitioner no. 5 namely Gauri Shankar Prasad @ Gorelal Yadav @ Gauri Shankar are the witnesses to the sale deed.

It is submitted by the learned counsel for the petitioners that the land in question belongs to one Pairu Mahto, who in his old age started residing with the brother's wife (sister-in-law), wife of Mangal, when he on oral gift given the property to Sohrai Devi and after death of Pairu Mahto, Sohrai Devi came into the possession of the land in question, who is the mother of petitioner no.1 namely Basanti Devi and subsequently, by virtue of inheritance the petitioner no. 1 became owner of the land in question and executed the sale deed.

Considering the nature of accusation in the background of land dispute, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in

connection with Rajauli P.S. Case No. 85 of 2015, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

**(Dinesh Kumar Singh, J)**

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