

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43312 of 2014

Arising Out of PS.Case No. -68 Year- 2013 Thana -C.B.I CASE District- PATNA

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Kripa Shankar Singh Son of Late Kusheshwar Prasad Singh Resident of
Village-Vijayapura, P.S.-Baligaon, District-Vaishali.

.... Petitioner/s

Versus

The State of Bihar Through Vigilance Department, Bihar, Patna

.... Opposite Party/s

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with

Criminal Miscellaneous No.48110 of 2014

Arising Out of PS.Case No. -68 Year- 2013 Thana -C.B.I CASE District- PATNA

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Prabha Shankar Singh S/o Late Kusheshwar Prasad Singh R/o Village-
Vijayapura, P.S.-Baliguaon, District-Vaishali.

.... Petitioner/s

Versus

The State of Bihar Through Vigilance

.... Opposite Party/s

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 16-04-2015 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioners in both the cases are own brothers
who apprehend their arrest in connection with Special Case No.
39 of 2013 arising out of Vigilance Case No. 68 of 2013
registered for the offences punishable under Sections 420, 467,
468, 471, 120(B) of the Indian Penal Code and Section 13(2) read
with Section 13 (1) (d) of the P.C. Act.

Learned counsel for the petitioners submits that



the present case is out and out, a purely civil dispute and relates to the deed of gift, which was executed in the year 1997. It is further submitted that due to some difficulty in the registry office, the registration of the said deed of gift was finally executed in the year 2001 and it was only thereafter, a mutation case was filed by the petitioner for recording the names in register II. It is further submitted that the deed of gift was executed in the year 1997 and finally registered in the year 2001 for want of adequate stamps which has been endorsed by the District Additional Registrar, Vaishali vide his letter no. 468 dated 14.08.2014

Considering the aforesaid submissions and the fact that a bona fide deed of gift was executed in favour of the petitioners, namely, Kirpa Shankar Singh and Prabha Shankar Singh which has not been repudiated till date by the court of competent jurisdiction and that the present case appears to be of civil nature, this court directs the petitioners in the event of their arrest or surrender before the court below within a period of two weeks from the date of receipt/production of a copy of this order, to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge Vigilance, North Bihar, Muzuffarpur in connection with Special Case No. 39 of 2013

arising out of Vigilance Case No. 68 of 2013 subject to the conditions as laid down under Section 438(2) of the Cr.P.C..

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(Anjana Mishra, J)

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