

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51623 of 2015**

Arising Out of PS.Case No. -275 Year- 2015 Thana -BAHADURPUR District- DARBHANGA

- =====
1. Kiran Devi wife of late Kailash Sah
  2. Vikash Sah @ Vikash Kumar @ Vikash Sah son of late Kailash Sah,  
Resident of Mohalla- Dilawarpur, P.S.- Bahadurpur, District- Darbhanga.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Amarendra Narayan, Advocate  
For the Opposite Party/s : Mr. L.K.Sharma, APP

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

2      06-11-2015                      Heard learned counsel for the petitioners and learned  
counsel for the State.

The petitioners seek pre-arrest bail in connection with  
Bahadurpur P.S. Case No.275 of 2015 registered under sections  
420, 406, 386, 504 and 506/34 of the Indian Penal Code.

It is contended that there is no truth behind the allegation  
made in the FIR. The dispute, if any, is of civil nature. The  
petitioner no.1 is an old widow whereas petitioner no.2 has no role  
in execution of the agreement to sell of the land in question. It is  
further contended that in view of law laid down in **Murari Lal  
Gupta vs. Gopi Singh [(2005) 13 SCC 699]** no offence under  
sections 420 and 406 of the Indian Penal Code would be made out.

Learned counsel for the State has opposed the application filed on behalf of the petitioners.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the above named petitioners are directed to be released on bail 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, Darbhanga in connection with Bahadurpur P.S. Case No.275 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

**(Ashwani Kumar Singh, J)**

Md.S./-

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