

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13739 of 2016

Arising Out of PS.Case No. -1306 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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MAHENDRA PRASAD @ DIGAL SINGH @ GIGAL SINGH, Son of
Late Ram Nath Singh, Resident of Village : Sabbalpur, Raipur Hasan, P.O.
Babhan Toli, P.S. Sonapur, District : Saran.

.... Petitioner

Versus

1. The State of Bihar.
2. Ramesh Roy S/o Rajendra Roy Vill. : Sabbalpur, Raypur Hasan, P.O. : -
Babhan Toli, P.S. Sonapur, District : Saran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rekha Prasad
For the Opposite Party/s : Mr. S.Dayal(App)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

3 09-05-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with

Complaint Case No. 1306 of 2014, registered under Section 420

of the Indian Penal Code.

The prosecution case is that petitioner approached

the complainant Ramesh Rai and witnesses to sale the land out

of 68 decimals as purchased by him in village Khaspur from one

Kismati Devi. Thereafter, the petitioner and others purchased

three katha five dhur land of said land on payment of Rs.

1127000/-, but the possession was not handed over to the

complainant and witnesses came to know about filing of Title

Case No. 111 of 2013 with respect to the same land, which was

decided in favour of plaintiff Smt. Gauri Yadav and against vendor of the petitioner.

Learned counsel for the petitioner submits that, in fact, the petitioner purchased the 68 decimal land to one Kismati Devi through sale deed dated 01.11.2012 filed the T.S. No. 111 of 2015 Smt. Gauri Yadav regarding the same land, but only Kismati Devi vendor of petitioner was not made party in that suit as such the petitioner has no knowledge about filing the suit and decree is passed behind the petitioner. The petitioner having no criminal antecedent is in custody since 12.02.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Patna City in connection with Complaint Case No. 1306 of 2014. Out of two sureties, one surety must be the close relative of the petitioner, who will file an affidavit showing his relation with the petitioner.

(Rajendra Kumar Mishra, J)

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