

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16005 of 2016

Arising Out of PS.Case No. -3418 Year- 2015 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

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1. Durga Devi, Wife of Shri Ram Deo Yadav
2. Ram Deo Yadav, Son of Late Tilo Yadav.
Both are Residents of Village - Khajuri, Police Station-Saur Bazar, Dist.-
Saharsa

.... Petitioners

Versus

1. State of Bihar
2. Sita Ram Yadav Son of Late Ganga Yadav Resident of Village- Khajuri,
Police Station-Saur Bazar, Dist.-Saharsa

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Prabhas Ranjan, Advocate

For the Opposite Party/s : Mr. Surendra Pd.Singh (APP)

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 23-05-2016 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323, 384, 385, 379, 406, 420, 467, 468, 477 (A), 380, 504/34 of the Indian Penal Code and Section 27 of the Arms Act, however, cognizance has been taken under Sections 420, 467 and 468 of the Indian Penal Code only.

It is contended that the petitioners have purchased the land, after payment of valuable consideration, through a registered deed of sale. It is alleged that the accused no.1 had fraudulently sold the land of the complainant to the petitioners. Thus, it is

urged that actually the petitioners have also been duped by his vendor. It is further urged that unless the sale deed is declared null and void by any competent court of civil jurisdiction, it cannot be assumed that the sale has taken place fraudulently.

Having regard to the facts and circumstances of the case, let the petitioners, namely, Durga Devi and Ram Deo Yadav be released on bail in the event of their arrest/surrender before the court below within a period of six weeks from today in connection with Complaint Case No.3418 of 2015 (Trial No.265/2015), on furnishing bail bonds of Rs.10,000 (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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