

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26049 of 2016

Arising Out of PS.Case No. -56 Year- 2016 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Sheikh Mustaque son of Late Ishu Mian, resident of village- Jaukatiya, P.S.- Majhaulia, District- West Champaran.			Petitioner/s
Versus			

1. The State of Bihar			Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-08-2016

Heard learned counsel for the petitioner, the informant
and the State.

The petitioner is in custody in a case registered under
Sections 376, 312, 420, 467, 468 and 471 of the Indian Penal
Code.

The prosecution story, in brief, is that the informant is
blind from both the eyes by birth. His sister and her husband
(petitioner) had been living with her and on pretext of marrying
her and also on assurance that the petitioner and her sister would
be taking proper care of her, the petitioner had been establishing
physical relationship with her for about 40 years. About 6-7 years
ago the petitioner and her sister took her to registry office to get 7
katha of land given by her father for her maintenance after her
death the property would go to the petitioner and her sister.
Thereafter she was ousted from her own house. Subsequently she
came to know from registry office that the land was, in fact,

transferred through registered sale deed.

It is submitted on behalf of the petitioner that the petitioner is in custody since 05.05.2016. The petitioner has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering with the evidence alleged against the petitioner. The petitioner is 70 years old man. The informant is the sister-in-law aged about 65 years. She is blind. As she being handicapped for last 40 years, she has been staying with her sister and the petitioner in the same house. The sale in respect to the land, in question, has taken place 6 to 7 years prior to institution of the present case.

On behalf of the State and the informant it is submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances of the case, let, above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., West Champaran at Bettiah in connection with Majhulia P.S. Case No. 56 of 2016.

(Sudhir Singh, J)

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