

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26391 of 2016

Arising Out of PS.Case No. -58 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Banarsi Thakur, Son of Late Ram Charitar Thakur,
2. Ramlal Thakur, son of Late Indrasan Thakur,
3. Brij Kishore Vishwakarma @ Braj Kishore Thakur, Son of Late Sheonandan Thakur, All resident of Village- Tilkaita, Poilce Station- Turkauliya, District- East Champaran at Motihari.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Sri Ram Naresh Ray

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 05-07-2016 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in a case registered for the offence punishable under sections 406, 420, 467, 468 and 471 of the Indian Penal Code.

Prosecution case is that the informant purchased the land appertaining to Khata No. 162 Plot No. 6016 situated at village Shankar Saraiya under Turkauliya P.S. of East Champaran District. The informant made asbestos shaded house and had given it on rent to one Khedu Ansari on 1.5.2014 at the monthly rent of Rs.600/- per month. After 11 months of commencement of tenancy the tenant stopped making payment of rent then informant filed Eviction Suit No. 11/2015. Khedu Ansari appeared in the suit and filed W.S. to the effect that

he is paying rent to petitioner no.1 Banarsi Thakur and also produced a Kirayanama, on which petitioners no. 2 and 3 are witnesses of the said Kirayanama. Hence, it is alleged that the petitioners created a forged Kirayanama with regard to the property of the informant.

It is submitted by the learned counsel for the petitioners that for civil nature of dispute the accusation has been levelled when admittedly the alleged Kirayanama has been filed in Eviction Suit No. 11/2015.

Considering the accusation levelled in the background of pending eviction suit, let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within a period of twelve weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran in Turkauliya P.S. Case No. 58/2016, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Surendra/-

U			
---	--	--	--