

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36576 of 2016

Arising Out of PS.Case No. -279 Year- 2016 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

- =====
1. Manju Devi, Daughter of late Bilash Sharma, wife of Rajendra Sharma.
 2. Rajendra Sharma, Son of late Munnu Sharma.
- Both are resident of village- Ajgaiba, P.S.- Chousa, District-
Madhepura. At present Resident of Village- Auraj, P.S.- Puraini,
District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Suresh Sharma, S/O Late Bujan Sharma, R/O Auraya (Lali Tola), P.s.-
Puraini, Distirct-Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 17-09-2016 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Complaint Case No. 279C of 2015 registered under
Sections 341, 323, 379, 406, 420, 465 and 506/34 of the Indian
Penal Code.

The allegation of informant/complainant, Suresh
Sharma, is that in the year 1996, nine decimal lands was allotted
to him by the Government of Bihar under Basgit Parcha. On
05.01.1979, his mother Suguo Devi got executed the sale deed
regarding 12 Khata 13 Dhur of land, in which, he and his two

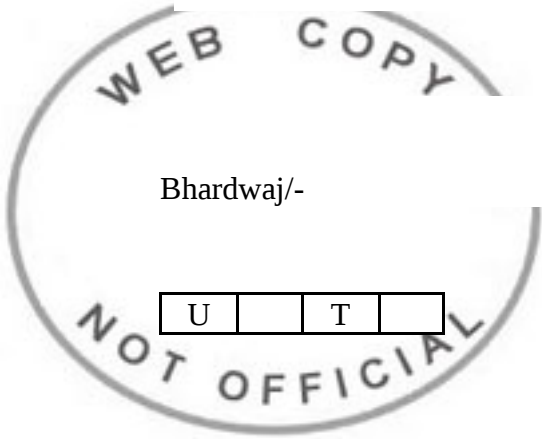


brothers acquired 1/3rd share each. On 23.12.2009, petitioner along with his two brothers got executed sale deed of 5 Katha of land from Paro Devi in which his share was 1/3rd. On 02.05.2016, his brother, Bishwshwar Sharma under conspiracy petitioner no. 2, Rajendra Sharma, Dharam Chand Bhagat and Motilal Sharma sold the 9 decimals land to his niece, petitioner no. 1, Manju Devi, which was allotted to him. On 10.07.2015, accused persons including the petitioners came to his house and started to demolish his house and on protest they also assaulted to him.

Learned counsel for the petitioners submits that petitioner no. 1 is the wife of petitioner no. 2 and daughter of late Bilash Sharma, brother of the complainant and due to ulterior motive the present case has been instituted. Moreover, the dispute as detailed in the complainant is of civil in nature.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the S.D.J.M., Madhepura, in connection with Complaint Case no. 279C of 2015, subject to

the condition as laid down under Section 438(2) of the Cr.P.C.



Bhardwaj/-

(Rajendra Kumar Mishra, J)