

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52768 of 2016

Arising Out of PS.Case No. -60 Year- 2016 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

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1. Manoj Mahto, S/o Kirpa Mahto
2. Rambaboo Mahto @ Rambabu Bhagat
Both are R/o Vill. Barwa, P.S. Sangarampur, Dist. East Champaran,
Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Sri Ram Bachan Singh

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

ORAL ORDER

2 06-12-2016 Learned counsel appearing on behalf of

petitioners submits that petitioner no. 2, Rambaboo Mahto, has

already been apprehended, as such, the application of petitioner

no.2 has become infructuous.

In view of the above submission, the application

of petitioner no. 2, Rambaboo Mahto, is dismissed as

withdrawn.

Heard learned counsel for the petitioner no.1

Manoj Mahto and the learned A.P.P. for the State.

The petitioner no. 1 apprehends his arrest in

connection with Gobindganj P.S. Case No. 60 of 2016 registered

under Sections 420, 467, 468, 471 and 120B of the Indian Penal

Code.



The accusation is that on 03.03.2015, petitioner Rambaboo Mahto @ Rambabu Bhagat along with Manoj Mahto and 3 others came at Plot Nos. 2035 and 1768 of complainant/informant Sitla Kunwar and started to take possession. When the complainant/informant made protest then they produced the documents about execution of the gift deed by her husband in their favour. Thereafter, Panchayati was arranged in which a photocopy of the gift deed was produced, which, prima facie, appears to be forged, as in the year 1989 Manoj Mahto was minor but this fact was not detailed in the gift deed.

Learned counsel appearing on behalf of the petitioner no.1, Manoj Mahto, submits that in fact, the gift deed was executed in respect to the land in dispute by the husband of the complainant/informant on 14.06.2013, which was also registered, but with ulterior motive, the petitioner no.1 has been implicated in this case. Further, submission is that Title Suit No. 48 of 2015, filed by the complainant/informant, is also pending in the Court of Sub-Judge, Junior Division, Motihari in respect to the same land.

Having considered the facts and circumstances of the case, let the above named petitioner no. 1, Manoj Mahto, be released on bail, in the event of arrest or surrender before the



learned Court below within a period of four weeks from today,
on furnishing bail bond of Rs. 10,000/- (ten thousand) with two
sureties of the like amount each to the satisfaction of the
A.C.J.M.-I, Areraj, District - Motihari in connection with
Gobindganj P.S. Case No. 60 of 2016, subject to the condition
as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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