

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8888 of 2016

Arising Out of PS.Case No. -25894 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

- =====
1. Smt. Maha Devi, wife of Sri Yogendra Mahto
 2. Yogendra Mahto, son of late Nihora Mahto, Both resident of Lakshmi Nagar, Khemni Chak, P.S.- Ram Krishna Nagar, District- Patna-800027.
- Petitioners

Versus

1. The State of Bihar
 2. Kumar Pashupati, son of Late Tapeswar Singh, resident of village & P.O.- Rabaich, P.S.- Bakhtiyarpur, District – Patna.
- Opposite Parties
- =====

Appearance :

For the Petitioner/s : Mr. Binod Bihari Sinha, Advocate
For the Opposite Party/s : Mr. Sucheta Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

7 14-07-2016 Heard both sides.

Petitioners apprehend their arrest in a case under
Sections 406 and 420 of the Indian Penal Code.

The complainant alleged that the petitioners executed a sale deed with regard to a piece of land. The complainant got his name mutated and also constructed boundary wall around it but when the complainant went there, somebody else put hindrance telling that he had earlier purchased the said land.

Shri Jagdish Prasad, learned counsel for the petitioners submits that the petitioners never executed any third sale deed. Petitioner no.1 executed only two sale deeds, one in favour of Kumar Pashupati and another in favour of Kumar

Abhishek. The complainant is still in possession of the land.

Learned counsel for the complainant, however, vehemently opposed the prayer for anticipatory bail but failed to show any third sale deed executed by petitioner no.1 in favour of any third person with regard to the said land.

Considering the facts aforesaid and the fact that the petitioners executed only two sale deeds, one in favour of the complainant and another in favour of Kumar Abhishek, petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 Smt. Kumari Khyati Singh, J.M. 1st Class, Patna in connection with Complaint Case No.25894 C of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J)

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