

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10843 of 2016

Arising Out of PS.Case No. -10 Year- 2015 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Sushila Devi @ Sushila Devi Sharma wife of Late Gopaljee Vishwakarma
2. Archana Sharma @ Thakur Archana Sharma daughter of Late Gopaljee Sharma Resident of village- Mauja Janpul Chowk, Motihari, Ward No. 2, P.S. + P.O.- Motihari Town, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Adv.
For the Opposite Party/s : Mr. Anita Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-03-2016 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 120B, 419, 420, 423, 465, 467, 468, 469 and 471/34 of the Indian Penal Code.

The prosecution case is that the informant's father performed three marriages. From first marriage one son namely Gopal Jee Vishwakarma was born. With the second marriage, three sons including the petitioners were born. Third marriage was solemnized in the year 1956 with Sunarpati Kuwar and from third marriage three daughters were borne but they died in their childhood. Gopaljee Vishwakarma was step brother of the

informant who was unmarried and his share came in possession of the informant. But the petitioner Sushila Devi who is Marwari Brahmin and petitioner Archana Sharma executed sale deed in favour of co-accused Shilpa Kumari and Manoj Kumar Jaiswal on 28.10.2014 and 21.10.2014. Petitioners claim to be wife and daughter of Gopal Ji Viswakarma.

It is submitted by learned counsel for the petitioners transferred the land of their own share and claim of the informant that Gopal Ji Viswakarma was unmarried is absolutely a wrong claim. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent.

Considering the accusation being levelled in the background of civil nature of dispute, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran in connection with Motihari Town P.S. Case No. 10 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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