

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18754 of 2016

Arising Out of PS.Case No. -3406 Year- 2007 Thana -COMPLAINT CASE District- ARRARIA

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1. Bimla Devi, W/o Sri Bahadur Singh,
 2. Rajesh Kumar @ Rajesh Kumar Singh S/o Sri Bahadur Singh, Both village- Kamalpur, P.S.- Ranganj, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Anwar Hussain S/o Md. Yusuf, Village- Kamalpur, P.S.- Raniganj, District- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh
For the Opposite Party/s : Mr. Sakir Ahmad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-05-2016

Petitioner is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Sections 406, 420, 467, 468 of the Indian Penal Code.

The prosecution case is that the complainant purchased 2.20 acres of land from co-accused Bahadur Singh through two sale deeds and made consideration amount of Rs. 1,68,000/-. The petitioners are wife and son of Bahadur Singh. At the time of getting the mutation done, the complainant came to know that Bahadur Singh transferred the land through a family partition in favour of the petitioners.

It is submitted by learned counsel for the petitioners thrust of accusation is against Bahadur Singh and the complainant has retracted from the initial version and has

filed a petition to that effect before learned Court below.

Considering the fact that complaint was filed in 2007, this Court is reluctant to interfere. However, keeping in view of the fact that thrust of accusation is against co-accused Bahadur Singh and the accusation is arising out of civil nature of dispute, it is a case for consideration of prayer for regular bail, if the petitioner surrenders within a period of six weeks in connection with Complaint Case No. 3406(C) of 2007, pending in the Court of learned Judicial Magistrate, 1st Class, Araria.

With the observations above, the application stands disposed off.

(Dinesh Kumar Singh, J)

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