

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26338 of 2016

Arising Out of PS.Case No. -589 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Soma Devi @ Sobha Devi wife of Shivmangal Sahani
 2. Methur Sahani son of Late Bipat Sahani
 3. Chhathu Sahani son of Late Bipat Sahani
 4. Mosafir Sahani @ Musafir Sahani son of Methur Sahani
 5. Ramji Sahani son of Methur Sahani
 6. Girja Sahani @ Girija Sahani son of Chhathu Sahani
 7. Shiv Kumar Sahani son of Chhathu Sahani
 8. Suresh Sahani son of Gobari Sahani

All residents of village - Khan Pipra, P.S. - Fenhara, District - East
Champaran.

.... Petitioners

Versus

1. The State of Bihar.
2. Rajkali Devi wife of Dinkar Sahani resident of village - Khan Pipra, P.S.
- Pipra, District - East Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Abhishek Kumar, Advocate
For the State : Mr. Suresh Prasad Singh, APP
For the Complainant : M/s Amrendra Kumar and
Sangit Deokuliar, Advocates

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 05-07-2016

I have heard learned counsel for the petitioners, the
State and the complainant.

The petitioners apprehend their arrest in a case registered
for offences punishable under Sections 420, 406, 467, 468, 471,
120B of the Indian Penal Code.



It is contended on behalf of the petitioners that petitioner nos. 2 and 3, who have transferred lands in favour of other petitioners, are full brothers of Jagdish Sahani, who is father-in-law of the complainant and, thus, they are of the same family and they have executed the sale deed, whereas, the daughter-in-law has stated in the complaint petition that the land and the properties belong exclusively to her father-in-law, Jagdish Sahani. It is intriguing that Jagdish Sahani has not filed any complaint case rather complaint case has been filed by the complainant who is not owner of the concerned property. It is further urged that the other branch of the family has already filed Title Suit No. 567/2013 for cancellation of the concerned sale deed. Thus, it is contended that the dispute is of civil nature.

Having regard to the facts and circumstances, let petitioner Soma Devi @ Sobha Devi, Methur Sahani, Chhathu Sahani, Mosafir Sahani @ Musafir Sahani, Ramji Sahani, Girja Sahani @ Girija Sahani, Shiv Kumar Sahani and Suresh Sahani be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Trial No. 4951 of 2014 arising out of Complaint Case No. 589 of 2013, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Sri

Umashankar, Judicial Magistrate 1st Class, Sikrahana at Dhaka,
East Champaran subject to the conditions as laid down under sub-
section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

Spd/-

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