

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50031 of 2016

Arising Out of PS.Case No. -190 Year- 2015 Thana -DHAMDAHA District- PURNIA

- =====
1. Upender Sah, Son of late Binho Sah
 2. Pramod Kumar Yadav, Son of Kamleshwari Yadav. Both R/o Village-
Amari, P.S. Dhamdaha, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Advocate
Mr. (Dr.) Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 15-12-2016 Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners are languishing in custody since
07.08.2016 in connection with Dhamdaha P.S. Case No. 190/15
for offences punishable under Sections 420, 467, 468, 471, 120-B
of the Indian Penal Code.

The prosecution case, on the basis of complaint
filed on 06.06.2015, is that the ancestral land was partitioned
between the two co-sharers and one co-sharer under conspiracy
fraudulently sold the other co-sharer's part of the land to petitioner
no. 1, in which petitioner no. 2 is a witness.

It has been submitted by the learned counsel for



the petitioners that they are innocent, have not committed any offence and are purchaser and witness to the said sale deed, hence, no offence is made out against them. It is submitted that the matter relates to civil dispute and final form has been submitted on 30.09.2015, but the learned Magistrate differing with the final form took cognizance on 20.02.2016.

However, learned APP for the State submits that the petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the charge-sheet has already been submitted, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with Dhamdaha P.S. Case No. 190/15.

(Nilu Agrawal, J.)

Rajesh/-

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