

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32783 of 2016

Arising Out of PS.Case No. -272 Year- 2016 Thana -MUZAFFARPUR SADAR
District- MUZAFFARPUR

- =====
1. Sangita Ojha, Wife of Anil Ojha, D/o. Ram Swarath Thakur, Resident of Khabara, P.S.- Muzaffarpur Sadar, District- Muzaffarpur.
2. Ram Swarath Thakur, Son of Late Achhu Thakur, Resident of Rampur Dayal, P.S.- Pear, District- Muzaffarpur.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 12-08-2016 Heard learned counsel for the petitioners and the learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Muzaffarpur Sadar P.S. Case No.272 of 2016 for allegedly having committed the offences under Sections 420, 467, 504, 120B of the Indian Penal Code.

Learned counsel for the petitioners submits that in the present case, there is a *bona fide* civil dispute and only to take wreak vengeance, the present case has been lodged against the petitioners. Petitioner No.1 is a *bona fide* purchaser of the land whereas Petitioner No.2 has no role to play, who is merely the father of Petitioner No.1. Learned counsel for the petitioners

further submits that if at all the informant is aggrieved by the sale deed, it was open to him to move the court of competent jurisdiction for getting the same repudiated.

Considering all facts and circumstances of the case and that Petitioner No.1 is a lady and Petitioner No.2 is her father having no concern with the present sale and purchase, let both the 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, be released 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 the learned Chief Judicial Magistrate, Muzaffarpur, in connection with Muzaffarpur Sadar P.S. Case No.272 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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