

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30195 of 2016

Arising Out of PS.Case No. -29 Year- 2016 Thana -RAGHUNATHPUR District- SIWAN

- =====
1. Sukhdeo Sharma, Son of Late Tilakdhari Sharma
 2. Dhananjay Sharma Son of Sri Sukhdeo Sharma
 3. Ranjeet Sharma @ Ramjeet Sharma Son of Sri Sukhdeo Sharma
- Petitioner nos. 1, 2 and 3 are resident of Village- Adampur, P.S.- Raghunathpur, District- Siwan.
4. Yamuna Devi Wife of Late Rajendra Sharma R/o Village- Nawalpur, P.S.- Siswan, District- Siwan.
 5. Chandrawati Devi Wife of Late Chhote Lal Sharma R/o Village- Bhatkan, P.S.- Andar, District- Siwan.
 6. Surendra Sharma Son of Munsu Sharma R/o Village- Mura, P.S.- Siswan, District- Siwan.
 7. Birendra Kurmi, Son of Late Ram Awadh Kurmi, R/o Village Adampur, P.S. Raghunathpur, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ranjeet Kumar Pandey Advocate.

For the Opposite Party/s : Ms. Reena Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-09-2016

Heard both sides.

Learned counsel for the petitioners submits that petitioner no. 1 Sukhdeo Sharma has already been arrested and he has been granted regular bail by the learned court below. Learned counsel seeks permission to withdraw the Anticipatory Bail Petition on behalf of the petitioner no. 1.

Considering the fact aforesaid, the Anticipatory Bail Petition of the petitioner no. 1 Sukhdeo Sharma has become infructuous and, accordingly, the same is disposed of as

withdrawn.

The above named petitioners no. 2 to 7 (six in number) apprehend their arrest in Raghunathpur P.S. Case No. 29/2016 under Sections 465, 467, 468 and other sections of the Indian Penal Code.

The informant filed a complaint case, on the basis of which, the present FIR is lodged. The informant alleged that the accused persons conspired with each other and executed a sale deed with regard to the land of the informant bearing Khata No. 31, 182, 338, RSP No. 2261, 1216, 1222 measuring 18 Kathha. Learned counsel for the petitioners submits that Tilakdhari Sharma got three daughters and three sons, namely, Shravan Sharma, Sukhdeo Sharma and Mukhdeo Sharma. The accused persons are sons and daughters of Sukhdeo Sharma and Tilakdhari Sharma. Accused No. 4, 5 & 6 are said to have executed the sale deed in favour of the accused No. 1, 2 & 3. Petitioner no. 2 Dhananjay Sharma and petitioner no. 3 Ranjeet Sharma @ Ramjeet Sharma are the sons of Sukhdeo Sharma. Dhananjay Sharma is one of the identifier of the sale deed.

Considering the facts that the petitioners are agnates and there is nothing on record to show that there was a partition in the family and the dispute is civil in nature, the above named

petitioners no. 2 to 7, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in Raghunathpur P.S. Case No. 29/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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