

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47055 of 2016

Arising Out of PS.Case No. -274 Year- 2013 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

- =====
1. Chakradhar Mandal, son of late Masudan Mandal
 2. Pintu Kumar Roy, son of Kamleshwar Roy

.... Petitioner/s

Versus

1. The State of Bihar
2. Rashiklal Mandal, son of Late Zalim Mandal, At Village - Luxmipur Lal Chand, P.S. - Bhiriganj, District - Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate.
For the Opposite Party/s : Mr. Smt Renu Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Complaint Case No. 274 of 2013 registered under Sections 420, 467, 468, 471 and 504/34 of the Indian Penal Code.

The allegation of complainant, Rasik Lal Mandal, is that he came in possession over 1.25 decimals land of Khesra No. 2553 of Khata No. 533, Village -Laxmipur Lalchand, P.S. Biharganj, Madhepura and used to reside over the aforesaid land after construction of the house. In spite of passing over 23 years of possession, Shila Kumari, has not filed any appeal, revision and the writ petition in the competent court. After 23 years,



complainant filed an application under Section 48 of the B.T. Act for declaring raiyat, in which, a report is called by Circle Officer Bihariganj to the revenue officials. In the meantime, he came to know that Suman Kumar and Arun Sah, who are not the legal heirs of Sila Devi, owner of the land, under conspiracy executed the sale deed in favour of Anirush Mandal on 16.02.2013.

Learned counsel for the petitioners submits that it would appear from the complaint petition that petitioner no. 1 being the deed writer, drafted the sale deed which is said to be executed by Arun Sah and Suman Sah in favour of Anirudh Mandal and petitioner no. 2 is the witness of the said sale deed. It is further submitted that petitioners have no criminal antecedent.

Considering the aforesaid submissions, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the J.M. Ist Class, Uda-Kishunganj (Madhepura) in connection with Complaint Case No. 274 of 2013, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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