

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58054 of 2015

Arising Out of PS.Case No. -349 Year- 2014 Thana -DANAPUR District- PATNA

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1. Ajit Kumar Singh son of Sri Sheo Prasad Singh resident of village- Bihta, P.S. Bihta (Gultera Bazar), in the district of Patna
 2. Kaushal Kishore Singh son of Late Krishna Murari Singh resident of village- Arap, P.S.- Bikram, in the district of Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Sri Nageshwar Kumar, son of Sri Ram Pravesh Singh, permanent resident of village Akbrari, P.S. Sahar, in the district of Bhojpur and presently resident of village Bihta, P.S. Bihta (Mahadeva Road) in the district of Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Abhay Kumar Roy (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-01-2016

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 419, 420, 467, 468, 471, 120B of the Indian Penal Code.

The prosecution case is that maternal grand-father of the informant was three brothers. The maternal grand-father of the informant Kapildeo Singh has only one daughter namely Ram Jyoti Devi, mother of the informant. On partition the share of Kapildeo Singh was inherited by the mother of the informant but grand-mother of the informant Ram Sakhi Devi executed registered deed of gift in favour of the petitioner No. 1 Ajit Kumar Singh on 18.12.1990. Though there was land dispute between father of Ajit Kumar Singh and

the informant for which Case No. 142 of 2012 has been initiated before Deputy Collector, Land Reforms, Danapur.

It is submitted by learned counsel for the petitioners that registered deed of gift of 1990 has been sought to be challenged through a criminal case in 2014, after 24 years of its execution, whereas on the gift deed the informant was a witness.

Considering the nature of dispute, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur in connection with Danapur P.S. Case No. 349 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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