

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11308 of 2016

Arising Out of PS.Case No. -62 Year- 2013 Thana -SAHARSA District- SAHARSA

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1. Narendra Kumar Singh @ Narendra Prasad Singh son of Anandi Prasad Singh resident of Village- Bharouli, P.S.- Sonbarsa, District- Saharsa.
 2. Smt. Puja Singh Wife of Ranjan Kumar Singh Resident of Mohalla- Lachhmi Niwas Refuzee Colony Ward No.22, PS & District- Saharsa.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-05-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Saharsa Sadar P.S. Case No.62 of 2013 for the offences instituted under Sections 406, 420 and 120 'B' of the Indian Penal Code.

The prosecution case, in brief, is that on the basis of first information report that one written complaint bearing Complaint Case No.1052 of 2012 was registered in the court of learned C.J.M. at Saharsa which was transferred to the concerned police station for registering a criminal case against the accused named. The complainant has given gist of complaint in the



complaint 8 named persons for the occurrence dated 15.12.2011 to 27.2.2012 it was stated in the complaint that the complainant is government servant as such used to remains busy for his work whereas the accused No.8 and 1 are full brother and other accused persons are litigants and influential person of the locality. The informant stated that they have a land in ward No.12/39 under Touzi No.3551 under Mouza Sulindabad falls under the municipality area under Thana No.197 Khata No.237/905 old/new and plot No.1176, 1177 and 1178 as well as name of some other plot were given as belongs to the informant. It was alleged that the accused No.1 became lazy in looking after the lands of the petitioners as such assuming their slackness the power of attorney in favour of accused No.1 was declared ineffective and informed to the accused No.1 by registered Notice dated 8.2.2012.

It is submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The matter relates to sale and purchase of the land. One Sumit Kumar Verma was given a power of attorney by the informant dated 15.12.2011. The sale proceeding had taken place on 6.2.2012 where the petitioners who are purchaser of the land. Subsequently, on 8.2.2012, the said power of attorney was revoked by way of giving a notice upon Sumit Kumar Verma. Prior to revoking of the said power of

attorney, the sale proceeding had already concluded. The matter relates to civil dispute.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate Ist Class at Saharsa, in connection with Saharsa Sadar P.S. Case No.62 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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