

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1460 of 2016

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1. Kishan Sharma
 2. Bishundeo Sharma @ Bishundeo Sharma
both sons of Late Kusum Lal Das

.... Petitioner/s

Versus

1. The State of Bihar
2. Kedar Nath Sah son of late Sukh Nandan Sah, resident of village- Goasi,
P.S.- Maranga, District- Purnea

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr. Aditya Nr. Singh1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-01-2016 Heard learned counsels for the petitioners and the
State.

The petitioners are apprehending arrest in a protest-cum-complaint petition wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

The prosecution case is that petitioners sold 14 ½ decimals of land each to the son of the complainant from plot no.630 under khata no.210 appertaining to mouza Ali Nagar but the father of both the petitioners sold 36 ½ decimals of land to the same plot to Arti Devi and, thereafter, said Arti Devi sold the land to one Sharda Devi. The total area of the land is only 73

decimals but altogether 75 decimals land has been transferred by the petitioners and their father.

It is submitted by learned counsel for the petitioners that on conclusion of investigation, the petitioners were not sent up for trial and final form has been accepted but subsequently on protest-cum-complaint petition processes have been issued against them.

Considering the nature of accusation arising in the background of civil nature of dispute and a statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Purnea in connection with C.A. Case No.3550/2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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