

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32560 of 2016

Arising Out of PS.Case No. -514 Year- 2014 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

- =====
1. Premshila Devi @ Dharamsheela Devi, Wife of Nawal Kishore Pandey.
 2. Nawal Kishore Pandey, Son of Brahmanand Pandey. Both are resident of Village- Adhawara, P.S- Sakra, District- Muzaffarpur.
 3. Saroj Kumar Choudhary, Son of Late Ramlakhan Choudhary, resident of Village- Susta, P.S- Sakra, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Adv.

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 20-08-2016 Heard learned counsel for the petitioners and the learned A.P.P for the State.

The petitioners apprehend their arrest in connection with Muzaffarpur Town P.S. Case No. 514 of 2014, registered under Sections 406,420,467,468,471 and 120(B) of the Indian Penal Code.

The allegation is that the land bearing Khata No. 72, Khesra No. 365 measuring 14 decimal was recorded in the name of grandfather of the informant, Ragunath Pandey. The said land was shared in two brothers of his father and he was the share holder of 1/6th of his father. The petitioners had got a sale deed



executed in the name of Premshela Devi when the informant was suffering from mental illness. Later on, when the petitioner nos. 1 and 2, asked the informant to shift his house, he came to know they got sale deed registered of said land. Then the informant approached the Registry Office and got certified copy of sale deed and lodged complaint Case bearing Complaint Case No. 1482 of 2014 on 12.06.2014. On the basis of said complaint case the present case is instituted.

Learned counsel appearing on behalf of the petitioners submits that petitioner no. 1 is the purchaser of land and Petitioner no. 2 is her husband. Petitioner no. 3 is identifier of the signature of both the seller and purchaser. In fact the informant after taking consideration amount executed the sale deed in favour of petitioner no. 1. But due to ulterior motive, the present case is lodged. Moreover, the case as disclosed in complaint petition is of civil in nature.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of 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 learned Chief Judicial Magistrate,

Muzaffarpur in connection with Muzaffarpur Town P.S. case No.
514 of 2014 subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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