

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47080 of 2016

Arising Out of PS.Case No. -736 Year- 2015 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

- =====
1. Dharmshila Devi, Wife of Mahendra Mishra
 2. Mahendra Mishra Son of late Rajbansh Mishra, Both resident of Village- Kinarchola, P.O Jaitpur, P.S. Bhagwanpur, District Kaimur at Bhabhua.

.... Petitioners

Versus

1. The State of Bihar
2. Ashok Pandey, Son of late Narvdeswar Pandey, Aged about 50 years, Resident of Village- Dawanpur Post- Jaitpur (Kala), P.S. Bhagwanpur, District Kaimur at Bhabua.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey
For the Opposite Party/s : Smt Sangeeta Sharma

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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. 736 of 2015, registered under Sections 420,
120(B) of the Indian Penal Code.

The accusation is that accused/petitioner No. 1
Dharmshila Devi talked to the complainant to purchase of 1.25 dismal
of land Plot No. 40, Khata No. 40, Area 3-45 acres on payment of
consideration amount of Rs.3,30,000/- accordingly, the petitioner No.
1 paid Rs. 56,000/- on 14.02.2011 and accordingly sale deed was
executed showing dues of Rs. 2,74,000/- with statement that the



possession will be handed over on payment of remaining amount. In spite of repeated requests made by the complainant, petitioners nos.1 and 2 did not paid the remaining amount of Rs. 2,74,000/- hence mutation was refused in Mutation Case No. 1216 of 2013 by Circle Officer, Bhagwanpur. But the petitioner No.1 under conspiracy with revenue officials by filing Mutation Case No. 73 of 2015-16.

Learned counsel for the petitioners submits that remaining amount of Rs. 2,74,000/- was paid by the petitioners on 07.06.2012 regarding which the Complaint also made receipt on stamp paper, but due to ulterior motive, this false case has been lodged.

Having regard to the facts and circumstances of the case, 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur at Bhabua in connection with Complaint Case No. 736 of 2015, registration No. 799 (C) of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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