

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17235 of 2016

Arising Out of PS.Case No. -2209 Year- 2013 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1.Vidyanand Yadav Son of Late Kunai Yadav
2. Pramila Devi @ Urmila Devi Wife of Vidyanand Yadav
3. Udyanand Yadav Son of Late Kunai Yadav
All R/o village- Rasarh, Ward No. 07, P.S.- Banmankhi,
District-Purnea

.... Petitioners

Versus

1.State of Bihar
2.Jeevanand Sharma Son of Dev Narayan Sharma, R/o village-Rasarh
(Bairashi Number), Ward No.07, P.S.- Banmankhi, District-Purnea

.... Opposite Parties

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Appearance:

For the Petitioners : Mr. Dr. Bidhu Ranjan, Advocate

For the Opposite Parties : Mr. Chandra Bhushan Prasad (App)

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 24-05-2016

Heard parties.

The petitioners apprehend their arrest in connection with Complaint Case No. 2209 of 2013 registered for offence punishable under Section 420 of the Indian Penal Code.

It is contended on behalf of the petitioners that it would be manifest from the complaint itself that there is litigation between the petitioners' side and complainant's side. Title suit No. 86 of 1982 was filed, in that title suit compromise decree was ultimately prepared.

It is alleged by the complainant that he got 9.5 decimals of the concerned land, whereas the vendor of the petitioner got only 8 decimals of land which he had already sold

but the said Shyamal Devi again transferred 5.25 decimals land by sale deed dated 27.08.1990 with respect to Khasra No.201 in favour of the petitioner and, thus, obviously that was a fraudulent sale. It is further contended that appeal was filed against the mutation order before DCLR which was allowed by him and the stand of the petitioner was accepted by the appellate authority.

It is contended on behalf of the petitioner that thereafter Title Suit No. 119 of 2013 has been filed in this regard. Thus, it is contended that the dispute is of civil nature.

Having regard to the facts and circumstances of the case, let the petitioners, namely, Vidyanand Yadv, Pramila Devi @ Urmila Devi and Udyanand Yadav be released on bail in the event of arrest/surrender before the Court below within a period of six weeks from today in Complaint Case No. 2209 of 2013, on furnishing bail bond of Rs.10,000/- (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J.)

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