

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20511 of 2017

Arising Out of PS.Case No. -304 Year- 2016 Thana -SAMASTIPUR District- SAMASTIPUR

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1. Babu Lal Ray, Son of Late Ramrup Ray,
 2. Pintu Kumar, son of Ashok Ray, Both residents of Village- Mohanpur, P.S.- Mufassil, District- Samastipur.
 3. Chandan Kumar, son of Shankar Ray, resident of Village- Korbadhna, P.S.- Mufassil, District- Samastipur.
 4. Hari Lal Singh, son of Late Ramdave Singh, resident of Village- Nazirganj, P.S.- Ujiyarpur, District- Samastipur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Part

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha

For the Opposite Party/s : Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 20-07-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Samastipur Town P.S. Case no. 304 of 2016, registered under Sections 420, 467 and 468/34 of the Indian Penal Code.

The accusation is that Plot Nos. 96, 86 and 06 of Khata No. 11 of village Mohanpur Area 4 katha and 11 dhoor was purchased by Ramkishun Rai, grandfather of complainant Rajeev Ranjan on 03.08.2016. The petitioner No.1 Babu lal Ray executed the sale deed of the aforesaid land on 03.08.2016 to Chandra Madhav Prasad Singh showing the consideration amount of Rs. 27,50,000/- on which



petitioner No.2 Pintu Kumar, son of petitioner No.1 and Chandan Kumar put their signature as a witness. The sale deed was drafted by scribe Harilal Singh.

Learned counsel for the petitioner submits that Dasai Rai had two sons, namely, Ramkishun Rai and Niku Rai. Ram Kishan Rai had one son, namely, Ram Chandra Rai and Nisru Rai had three sons, namely, Ramrup Rai, Rajrup Rai and Parmeshwar Rai and Ramchandra Rai died issueless as such his property came to Ramkishun Rai, grandfather of petitioner No.1. But petitioner got mutated his name in the voter list showing his father's name Ram Chandra Rai claimed the land. Moreover, the dispute is of civil in nature. The petitioners has no criminal antecedent.

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) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Samastipur in connection with Samastipur Town P.S. Case No. 304 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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