

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14948 of 2017

Arising Out of PS.Case No. -635 Year- 2003 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Jay Prakash Mehta @ Jai Prakash Mehta,
2. Shiv Prakash Mehta, Son of Sri Kripa Nand Mehta, both resident of
village - Pranpatti, Police Station K. Nagar, Distt. - Purnia
.... Petitioner/s

Versus

1. The State of Bihar
2. Deo Narayan Mehta, Son of Late Munsu Mehta, resident of village -
Pranpatti, Police Station K. Nagar, Distt. - Purnia
.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-04-2017

Heard learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Complaint Case No. 635 of 2003 filed for offences punishable under Sections 420, 467, 468 and 471 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that the ancestral land was divided in two shares through a Panchanama and one share was given to the complainant and another to the share of the father of the petitioners. As per the complaint father of the petitioners and the complainant are own brothers and allegation is that father of the petitioner sold the share of the land in between the petitioners and complainant and that it



was ancestral property.

Heard learned A.P.P. also.

Having heard both sides and in view of the nature of allegation and the father of the petitioners and the complainant are brothers and it appears to be a family dispute, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnea in Complaint Case No. 635 of 2003 subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

S.Pandey/-

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