

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15252 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Suresh Mahto Son of Late Shankar Mahto,
 2. Asharfi Mahto, Son of Jagarnath Mahto, Both are Resident of Village-
Mohachhi Nain, Police Station- Gopalpur, District- West Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 31-07-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Bettiah Town P.S. Case no. 17 of 2017 registered under Sections 420,
467, 468, 471 and 120-B of the Indian Penal Code.

The accusation is that on 06.01.2017 accused petitioners
along with other accused named in the F.I.R. threatened Bayash Raut,
who is looking after the agriculture of complainant Dr. Vijay Nandan
Sahi about taking possession forcibly over the land. The said Bayash
Raut informed the matter to the complainant and when complainant
went to registry office, Bettiah then came to know that vide Deed No.
1483, dated 02.09.2016, 1 katha 14 Dhurs of land relating to khata No.
57, Khesra No. 721 was sold by accused Hariom Shahi on changing



the name as mentioning Hariom Prasad and also changing the name of his father Raj Nandan Prasad Shahi as Raj Nandan Prasad in favour of petitioner No.1 on which petitioner No.2 put his signature as witness.

Learned counsel for the petitioners submits that, in fact, petitioner No.1 purchased the land in dispute to Hariom Shahi 'Pattidar' of the complainant in impression that Hariom Shahi was in possession over the said land. Further submission is that, in fact, complainant and his mother Ram Singari Devi has filed Partition Suit No. 69 of 2007 in which co-accused Hariom Shahi and his father Raj nandan Shahi about partition of the land as detailed in the plaint including the disputed land also, but with ulterior motive, the present case has been filed.

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, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 17 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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