

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11965 of 2017

Arising Out of PS.Case No. -16 Year- 2014 Thana -BUXAR INDUSTRIAL District- BUXAR

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1. Krishna Singh.
 2. Santosh Singh, Both Sons of Ram Badan Singh, Resident of Golambar Buxar, P.S. Buxar (Industrial), District Buxar.
 3. Dharamraj Singh, Son of Rajnath Singh.
 4. Anand Singh @ Anand Kumar, Son of Ramayan Singh. Both Residents of Village- Haripur, P.S.- Buxar (M), District- Buxar.
 5. Ram Singh @ Shri Ram Singh, Son of Jhalak Singh, Resident of Saguna Mainpur, P.S. Danapur, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyapal Singh, Advocate.
For the Opposite Party/s : Mr. Sri Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 24-04-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Buxar (Industrial) P.S. Case No. 16 of 2014, registered under Sections 420, 467, 468, 471, 341, 323 and 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation of complainant Laljee Choubey is that on 28.11.1985, he got executed the sale deed regarding the land of Khata No. 85 in Village Ahiroli from Kalawati Devi in the name of his father and three brothers. Later on, Kalawati Devi, with



intention to harass them, managed to execute the power of attorney by her three sons regarding the same land in favour of Dharmraj Singh (petitioner no. 3), who executed the sale deed to their relations Santosh Singh (petitioner no. 2) and Anand Singh (petitioner no. 4) regarding which he lodged the Buxar Industrial P.S. Case No. 121 of 2012. In the meantime, on 30.12.2013, Kalawati Devi, also executed the sale deed in respect of the same land in favour of Shree Ram Singh (petitioner no. 5), on which, co-accused, Ravi Rajnaj Chobey @ Bablu Choubey also put his signature as a witness.

Learned counsel for the petitioners submits that petitioner nos. 1 and 3 are the holders of power of attorney executed by three sons of Kalawati Devi and both petitioners executed the sale deed in the light of power of attorney to Santosh Singh (petitioner no. 2), Anand Singh (petitioner no. 4) and Ram Singh @ Sri Ram Singh (petitioner no. 5). In fact, due to dispute in between Kalawati Devi and the complainant-informant, the informant has lodged the present case with false allegation. Moreover, Title Suit No. 142 of 2012 is filed by Kalawati Devi against the father of the complainant-informant and Chandrawti Devi, covering the land in dispute also. Further submission is that co-accused, Ravi Ranjan Choubey @ Bablu Choubey, who is said



to be executed the power of attorney along with his two brothers, has already been granted privilege of anticipatory bail by this Court vide order dated 22.02.2017 passed in Criminal Misc. No. 2426 of 2017.

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 six 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, Buxar, in connection with Buxar (Industrial) P.S. Case No. 16 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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