

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 32432 of 2017

Arising Out of PS.Case No. -293 Year- 2017 Thana -BHABHUA District- BHABHUA (KAIMUR)

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- 1 Binda Devi, Wife of Pramod Kumar Singh @ Punne Singh
 - 2 Santosh Kumar Singh @ Santosh Kumar, Son of Pramod Kumar Singh @ Punne Singh, Residents of Village – Akhalaspur, at present Residents of Village – Datian, PS – Bhabhua, District – Kaimur
 - 3 Shrawan Kumar Patel @ Sandeep Kumar Patel, Son of Girdhar Gopal Singh, Resident of Village – Akhalaspur, PS – Bhabhua, District – Kaimur
 - 4 Sonu @ Sonu Patel, Son of Sri Lavkush Singh, Resident of Village – Kurashan, PS – Bhabhua, District - Kaimur

.... Petitioner/s

Versus

- 1 The State of Bihar
- 2 Mostt Girja Kumar, Wife of late Bindhewasni Singh, Resident of Village – Akhalaspur, PS – Bhabhua, District - Kaimur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Binod Kumar Singh, Advocate

For Opposite Party No 2: Mr Vinod Kumar Seth, Advocate

For the S t a t e : Mr Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 13-07-2017

Heard learned counsel for the petitioners, informant-

Opposite Party No 2 and the learned APP for the State.

Petitioners apprehend arrest in a case registered under Sections 420, 467, 468, 471/34 of Indian Penal Code.

Allegation is made by Opposite Party No 2-informant Girja Kuar that her son has sold her lands. Instant petitioner No 2 is the beneficiary in whose favour land has been sold by way of a registered sale deed. Petitioners No 2, 3 and 4 are the witnesses. On the basis of the sale deed, mutation has also been done and rent



receipts have already been issued in favour of petitioner No 1 Binda Devi.

Counsel for Opposite Party No 2-informant has appeared and submitted that the son of the informant has sold the land with ill intention much below the value of the lands.

Prima facie, the dispute appears to be predominantly civil in nature. Petitioner No 1 is only the beneficiary and petitioners No 2, 3 and 4 are the witnesses and since the allegation of making the sale is against Deo Sharan Singh @ Munna Singh, who is the son of Opposite Party No 2-informant, prayer for anticipatory bail is allowed. In the event of their arrest or surrender within four weeks from today, the petitioners above named shall be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kaimur at Bhabhua in Bhabhua Police Station Case No 293 of 2017 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code.

(Madhuresh Prasad, J)

M.E.H./-

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