

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35014 of 2017

Arising Out of PS.Case No. -71 Year- 2017 Thana -ALOULI District- KHAGARIA

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1. Jagadish Yadav, Son of Late Chandi Lal,
2. Kamal Yadav, Son of Late Parmeshwari Yadav,
3. Mauzi Yadav Son of Late Parmeshwari Yadav,
4. Yogendra Yadav Son of Jagdish Yadav, All are R/o Village- Godhbari,
P.S.- Allauli, District- Khagaria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners, apprehending their arrest in connection with Alauli P.S. Case No. 71 of 2017 registered for the offences punishable under Sections 323, 379, 341, 342, 406, 420, 467 and 468 of the Indian Penal Code, seek the privilege of pre-arrest bail.

The case has been instituted on the basis of complaint petition with allegation that the petitioners created sale deed with respect to ancestral land of the informant by impersonating someone in his place on 23.03.2015 and when the informant went at the house of the accused and told to cancel the sale deed, the petitioners abused and assaulted with slap and the petitioner Mauji Yadav took Rs. 2000/-.



Submission is of false implication and that there is no material in the case diary. Land in question is purchased land by petitioner Jagdish Yadav, co-accused Ram Lakhan Yadav and father of petitioner No. 3 vide registered sale deed dated 19.5.1986 and the petitioner Yogendra Yadav is son of petitioner Jagdish Yadav. Petitioners are in peaceful possession of the land in question. No case is made out against the petitioners as alleged and as such, they deserve sympathetic consideration. Dispute is purely of civil nature.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering the nature of dispute, the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Alauli P.S. Case No. 71 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

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