

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44136 of 2017

Arising Out of PS.Case No. -35 Year- 2017 Thana -MADHEPURA District- MADHEPURA

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1. Upramila Devi W/o Late Siyaram Yadav, Resident of Village- Chakla Lakshmi Rampur, P.S. & District- Madhepura.
2. Rampukar Yadav @ Rampukar Prasad Yadav,
3. Mithilesh Yadav @ Mithilesh Kumar Yadav @ Mithilesh Kumar both sons of Late Rajdeep Yadav,
4. Jayprakash Yadav,
5. Ramprakash Yadav @ Omprakash Yadav, both sons of Late Bindeshwari Yadav,
6. Ramnandan Yadav @ Ramnand Prasad Yadav son of Ayodhi Yadav,
7. Shivshankar Kumar @ Shivshankar Yadav, S/o Kamal Prasad Yadav.
8. Sadanand Yadav @ Sadanand Kumar Suman S/o Ramnand Prasad Yadav,
9. Ramdev Yadav S/o Late Ramsundar Yadav, All Residents of Village- Khajuri, P.S.- Sour Bazaar, District- Saharsa and
10. Subhash Kumar S/o Late Ghutar Yadav (wrongly written as s/o Ramnandan Yadav), Resident of Village- Tuniyahi, P.S. & District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh
For the Opposite Party/s : Mr. Sri Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 19-12-2017 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Madhepura P.S. Case No. 35 of 2017, disclosing offences under Sections 406 and 420 of the Indian Penal Code.

From the First Information Report, it transpires that allegedly in the year 1959, the father of petitioner nos. 2, 4, 5 and 9 had sold certain piece of land to the informant's father. It is alleged that they have executed another sale deed in favour of



petitioner no. 1 in respect of same land. Petitioner nos. 6, 7, 8 and 10 are said to be witnesses of the sale deed, so executed.

It is accordingly, alleged in the F.I.R. that these accused persons in conspiracy have allowed transfer of land which belongs to the informant.

Learned counsel for the petitioners has submitted that it is a case of pure civil dispute. He has also submitted that the land which has been transferred to petitioner nos. 2, 3, 4, 5 and 9 is different piece of land.

Considering the submission, as above, this application is allowed.

Let the above named petitioners, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Madhepura, in connection with Madhepura P.S. Case No. 35 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Chakradhari Sharan Singh, J)

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