

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2575 of 2017

Arising Out of PS.Case No. -65 Year- 2016 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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1. Shivnandan Sah S/o late Radhe Sah resident of Village Kanhuwa
Godhiyari, P.S. Gamahria, Distt Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shiv Shankar Sah S/o late Madho Sah Resident of Village kanhuwa
Godiyari, P.S. Gamahria, Distt. Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 07-03-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No. 65 of 2016, registered under Sections 323,
384, 467, 468, 420 and 504/34 of the Indian Penal Code.

The accusation is that Sitli Devi grand maternal aunt of the
complainant executed the gift deed in respect of 7 Katha, 5 Dhur
land in favour of his wife Kajli Devi, but illegally the name of
Ashrafi Sah and others were recorded in the revenue paper, which
was corrected through Survey Case No. 5960 of 1980 and the
name of Kajli Devi wife of the complainant was entered in the



revenue paper. On 31.01.2016 four persons named in the complaint petition including the petitioner forcibly cut the maize crop of the complainant worth Rs. 5,000/-.

Learned counsel for the petitioner submits that, in fact, the petitioner and the complainant are cousin brother and grand-sons of Sitli Devi and the petitioner have also share and the complainant has filed T.S. No. 86 of 2009 in respect to land in dispute pending in the Court of Sub Judge-I ,Madhepura but with ulterior motive the present case has been lodged by the complainant.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Madhepura in connection with Complaint Case No. 65 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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