

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9143 of 2017

Arising Out of PS.Case No. -331 Year- 2013 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

- =====
1. Kiran Devi, Wife of Kameshwar Rajak,
 2. Kameshwar Rajak, Son of Nihora Rajak, Both resident of Mohalla
Gautam Nagar, Ward No. 13, P.S. + District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Uday Singh, Son of Late Nakul Prasad Singh, Resident of Mohalla-
Gautamnagar, Ward NO. 15, P.S. + District- Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Ahtash Ali Khan

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

5 12-07-2017 Heard the learned counsel for the petitioners as well
as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners
apprehend their arrest in connection with Complaint Case No. 331
C of 2013 for the offence punishable under section 420 of the
I.P.C.

Allegedly, the petitioners after bringing the co-
accused Ajay Singh in collusion got executed the sale deed by
mother of the complainant on commission and the name of
husband was not given. Ajay Singh is brother of the complainant
and he has signed on the sale deed as witness. Mother of the
complainant was ill and she has lost eye sight but without paying
the consideration amount sale deeds have been got executed. The



complainant and his brother have got only that house where they are residing with the family members.

Submission is of false implication and that the dispute appears purely of civil nature, the mother of the complainant has executed sale deed in favour of the petitioners being in sound health and mind, no forgery was committed and the remedy lies in the competent civil court to get the sale deed cancelled, inspite of notice received the complainant has not appeared and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. fairly submits that the dispute appears to be of civil nature.

In the facts and circumstances as stated above, the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. S.D.J.M. Saharsa in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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