

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76 of 2017

Arising Out of PS.Case No. -477 Year- 2014 Thana -BAHERA District- DARBHANGA

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1. Indu Devi, W/o Indra Kant Jha
2. Indra Kant Jha, S/o late Uma Kant Jha
3. Mithilesh Sahu @ Mithilesh Sah, S/o Soti Sahu
4. Shashi Kant Jha, S/o late Uma Kant Jha

All are R/o Village- Kotharam, P.S.- Jamalpur, District-Darbhanga
..... Petitioners

Versus

The State of Bihar

..... Opposite Party

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Appearance :

For the Petitioners : Mr. Ajay Kumar, Advocate
For the Opposite Party : Smt. Suman Kumari Singh(APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-01-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Bahera P.S. Case No. 477 of 2014 instituted for the offence under Sections 406, 420, 467, 468, 471, 120(B) of Indian Penal Code.

It is alleged that mother of the informant died on 27.02.2014. Accused persons by hatching conspiracy got executed Sale Deed No.1992 on 01.03.2014 in their names after the death of mother of the informant with intention to cause economic loss to the informant.

It has been submitted on behalf of the petitioners that in fact the mother of the informant Urpramila @ Urmila Devi died on 07.03.2014 after executing sale deed on 01.03.2014. The



photo copy of the sale deed executed by mother of the informant Urpramila @ Urmila Devi has been filed as Annexure-3 and the certified copy has also been produced during hearing of the bail petition. It appears that sale deed has been executed by mother of the informant on 01.03.2014 in favour of Indu Devi, petitioner no.1. Petitioner no.2 is husband of Indu Devi, petitioner no.3 is witness on the aforesaid sale deed and petitioner no.4 is said to be brother of the husband of the petitioner no.1. The aforesaid sale deed bears the photographs and thumb impression of Urpramila @ Urmila Devi. In this manner the nature of dispute as alleged by the informant is civil dispute. In the circumstances, prayer of the petitioners for anticipatory bail is allowed.

In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Bahera P.S. Case No. 477 of 2014, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Benipur, Darbhanga, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

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