

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17870 of 2017

Arising Out of PS.Case No. -703 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

- =====
1. Abhay Kumar Singh, Son of Late Dharmnath Singh, Resident of Village- Khagari Road, Road No. 3, Takiyapar, Danapur, P.S. Danapur, Patna.
 2. Vijay Kumar Singh, son of late Ram Lagan Singh, Resident of House No. D/41, Police Colony, Anishabad, P.S. Gardanibagh, Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ajit Kumar, son of Birju Lal Sah, Resident of Gola Road, Near Vihal Mega Mart, Danapur, P.S. Danapur, Patna.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Smt. Gulnar Begam, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 18-08-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Complaint Case No. 703(C) of 2013, registered under Sections 323, 420 and 504 of the Indian Penal Code.

The accusation is that complainant-opposite party no. 2, Ajit Kumar, purchased the piece of land from Adarsh Sahkari Grih Nirman Samati Ltd. thorough its Secretary, Gopal Prasad. The petitioners forming the illegal society saying them as President and Secretary executed the sale deed in favoaur of Nilam Singh, daughter of petitioner no. 2.



Learned counsel for the petitioners submits that, in fact, the land transferred by Gopal Prasad, being the Secretary of Adarsh Sahkari Grih Nirman Samati Ltd. including the sale deed of the complainant were declared null and void vide order dated 07.06.2001 passed in Miscellaneous Case No. 192 of 2000 by the court of District Co-operative Officer, Patna, which would appear from annexure 3 to the supplementary affidavit. Moreover, the dispute appears to be of civil in nature.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate Ist Class, Danapur, Patna, in connection with Complaint Case No. 703(C) of 2013, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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