

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15538 of 2017

Arising Out of PS.Case No. -14 Year- 2017 Thana -GOGRI District- KHAGARIA

- =====
1. Rajendra Prasad Singh, Son of Late Chamru Singh
 2. Sanjay Kumar Sinha
 3. Rajeev Kumar
 4. Raj Kumar, All three sons of Rajendra Prasad Singh, All residents of village - Kanhauli (Baltara), Police Station - Gogri (Paura), District - Khagaria.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha

For the Opposite Party/s : Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 15-05-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Learned counsel appearing on behalf of petitioner seeks permission to withdraw the application filed on behalf of petitioner No.2 Sanjay Kumar Sinha.

In view of the above, the application filed on behalf of petitioner No.2 Sanjay Kumar Sinha is dismissed as withdrawn.

The petitioners apprehend their arrest in connection with Gogri (Paura) P.S. Case no. 14 of 2017, registered under Sections 419, 420, 467, 468 and 471/34 of the Indian Penal Code.

The allegation of informant Devesh Kumar is that partition took place in between his father Sikandar Singh and uncle Ranjendra Prasad Singh (Petitioner). After partition, the petitioner sold 09 katha of land of Khata No. 169, Khesra No. 224 of village Kanhauli



(Baltara) from the share of his father in favour of his wife Indu Devi on 01.02.2016 and on the sale deed Sanjay Kumar Sinha, Rajeev Kumar and Ramesh Kumar @ Raj Kumar put their signature as a witness and when the informant made complaint then petitioner abused him and threatened for dire consequences.

Learned counsel for the petitioners submits that, in fact, in partition Plot No. 224 was allotted in favour of the petitioner whereas Plot No. 2075 was in possession of the father of the informant, but with ulterior motive this case has been lodged. Moreover, the allegation made in the F.I.R. is purely civil in nature.

Having regard to the facts and circumstances of the case, let the above named petitioners i.e. Rajendra Prasad Singh, Rajeev Kumar and Raj Kumar be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the Brajesh Kumar, Judicial Magistrate, 1st Class, Khagaria in connection with Gogri (Paura) P.S. Case No.14 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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