

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21361 of 2017

Arising Out of PS.Case No. -547 Year- 2016 Thana -KANTI THARMAL POWER District-
MUZAFFARPUR

- =====
1. Janardan Shahi Son of Late Bhuneshwar Shahi
 2. Durgesh Shahi Son of Sri Janardan Shahi Both residents of Village -
Shyampur Bhoja, P.S. - Kanti, District - Muzaffarpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Krishna Kant Singh, Advocate

For the Opposite Party : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-05-2017 A supplementary affidavit has been filed on behalf of

learned counsel for the petitioners. The same may be kept on the

record.

Learned counsel for the petitioners is permitted to make

necessary correction in paragraph no. 3 of the petition in course of

the day in light of the supplementary affidavit filed on behalf of

learned counsel for the petitioners.

Heard learned counsel for the petitioners and learned

counsel for the State.

The petitioners are apprehending their arrest in

connection with Kanti P.S. Case No. 547 of 2016 for the offences

instituted under Sections 420, 467, 468, 471, 120(B), 447, 504 and



506/34 of the IPC.

The prosecution story, in brief, is that the informant purchased a piece of land from Sanjay Kumar Singh, cousin of Mostt. Rahanti Kuer who had no right, title and possession over the purchased land and P.O. land whereas petitioner no. 1 rightly sold the P.O. land to Sudhir Kuamr and Sushil Kumar under right, title and possession.

It has been submitted on behalf of the petitioners that the petitioners have falsely been implicated in the present case due to mistake of fact. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners are right title holder of the land in question and mutation of the said land was made in favour of the persons to whom they had executed the sale deed. The matter relates to civil dispute.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, 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 in connection with Kanti P.S. Case No. 547/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction



of the learned J.M. 2nd Class, Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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