

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9602 of 2018

Arising Out of PS.Case No. -2040 Year- 2015 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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1. Amarnath Rai, Son of Late Ram Vilash Rai, Resident of Village – Madhaipur, P.S. – Dalsinghsarai, District – Samastipur.
 2. Shishmani Devi @ Shivani Devi, Wife of Amarnath Rai, Resident of Village – Madhaipur, P.S. – Dalsinghsarai, District – Samastipur.
 3. Binod Rai @ Vinod Rai, Son of Singesar Rai, Resident of Village – Sarai, P.S. – Patori, District – Samastipur.
 4. Kalia Devi, Wife of Late Chandeshwar Rai,
 5. Vipin Rai, Son of Late Chandeshwar Rai,
Both Resident of Village – Bahadurpur, P.S. – Patori, District – Samastipur.
 6. Karu Rai, Son of Late Hardeo Rai, Resident of Village – Madhopur, P.S. – Patori, District – Samastipur.
 7. Shrawan Kumar Rai, Son of Amarnath Rai, Resident of Village – Madhaipur, P.S. – Dalsinghsarai, District – Samastipur.
 8. Mahesh Rai, Son of Singheshwar Rai, Resident of Village – Sarai, P.S. – Patori, District – Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Jugeshwar Rai, Son of Subbalal Rai, Resident of Village – Sarai, P.S. – Patori, District – Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 17-02-2018

Heard learned counsel for the petitioners

and learned APP for the State.

The petitioners are apprehending their
arrest in a complaint case, wherein processes have been directed



to be issued after cognizance being taken for the offences punishable under Sections 341, 323, 120B and 420/34 of the Indian Penal Code.

The prosecution case is that the complainant has three daughters, but subsequently the petitioners fraudulently got the land of the complainant registered. Petitioner no. 1 is the son-in-law, petitioner no. 2 is the daughter, petitioner no. 3 is the nephew, petitioner no. 4 is the daughter, petitioner no. 5 is the grand, petitioner no. 6 is co-villager, petitioner no. 7 is the grandson and petitioner no. 8 is the nephew of the complainant.

It is submitted by learned counsel for the petitioners that petitioner nos. 2 and 4 have executed sale deed with regard to their share of the property in favour of petitioner nos. 3 and 8.

Considering the nature of accusation arising out of share dispute and the relationship of the petitioners with the complainant, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of



the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with C.R. No. 2040 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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