

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8467 of 2018

Arising Out of PS.Case No. -1115 Year- 2015 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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1. Sunil Singh @ Sunil Kumar Singh @ Sunil Kumar, S/o Karamdeo Singh,
2. Tej Narayan Singh S/o Late Ramraj Singh, Both are R/o Village- Jasoyia,
P.S.- Town, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Krishna Ballam Prasad Gupta S/o Late Ram Ratan Ram, Permanent R/o
Village- Karma Bhagwan, P.S.- Muffasil, District- Aurangabad At present
R/o Mohalla- Karma Road, Police Line, P.S.- Aurangabad, District-
Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Rajendra Nath Jha

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 17-02-2018 Heard both sides.

The petitioners apprehend their arrest in Complaint
Case No.1115 of 2015 registered under Sections 420, 467, 468,
471, 504, 120B of the Indian Penal Code.

The complainant alleged that his uncle, Shivlochan
Saw got the land of Khata No.270 plot no.131 area 6 acres 24
decimals through a registered sale deed no.516 dated 01.02.1956
from Lilawati Mishra, wife of Saroj Bhushan Mishra. The land
was recorded in the name of Shivlochan Saw. After the death of
Shivlochan Saw, the entire land came in possession of Ram Ratan
Ram, the father of the complainant but the complainant came to
know that the petitioners sold the land to different persons



claiming the title over the land.

The learned counsel for the petitioners submits that ex-landlord of Kunda Estate settled the land in favour of Jagdeo Singh, the grandfather of the petitioner and after submission of return at the time of vesting of jamindari, the lands were recorded in the name of Jagdeo Singh, the grandfather of the petitioner. There is a bonafide land dispute for which civil suit is also going on.

Considering the facts aforesaid that there appears to be bonafide land dispute between two sides for which a proceeding under Section 144 Cr.P.C. as well as a suit is also filed, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Vishwajeet Kumar, learned Judicial Magistrate 1st Class, Aurangabad in connection with Complaint Case No.1115 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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