

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25701 of 2018

Arising Out of PS.Case No. -924 Year- 2016 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Rajeshwar Mahto, Son of Late Anurag Mahto, Resident of Village-
Pirapur Mathura, P.S.- Goraul, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sumitra Devi, wife of Suresh Mahto, Resident of Village- Pirapur,
Methura, P.S.- Goraul, District- Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 03-05-2018 Heard both sides.

The petitioner apprehends his arrest in Complaint Case
No.924 of 2016 registered under Sections 467 and 468 of the
Indian Penal Code.

The gist of the allegation that the petitioner sold 4 ½
decimals land of Khesra No.3516, Khata No.17 to the complainant
but later on, the petitioner executed the sale deed in favour of
brother of his daughter-in-law.

The learned counsel for the petitioner submits that in
fact, the petitioner owns 28 decimals of land of Plot No.3516 of
Khata No.17. The petitioner executed sale deed in favour of the



complainant with regard to only 4 ½ decimals of land. The petitioner executed sale deed in favour of brother of his daughter-in-law with regard to other part of the land. It is further submitted that the petitioner filed Complaint Case No.2315 of 2015 against the complainant prior to institution of the present complaint case by the complainant and alleged that the complainant fraudulently got the sale deed executed in her favour without paying the entire consideration amount.

Considering the facts aforesaid and the fact that the dispute appears to be of civil nature, the petitioner, above named, in the event of his 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 is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Hena Mustafa, learned Judicial Magistrate 1st Class, Vaishali at Hajipur in connection with Complaint Case No.924 of 2016/Tr. No.2537 of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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