

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62144 of 2017

Arising Out of PS.Case No. -46 Year- 2017 Thana -KUMARGHAND District- MADHEPURA

- =====
1. MANOJ SAH @ MANOJ KUMAR Son of Late Upendra Sah
 2. Shiv Shankar Sah Son of Late Babuji Sah Petitioner No. 1 & 2 are residents of village - Yadupatti, P.S. Kumarkhand, District - Madhepura.
 3. Mangal Sah Son of Ramji Sah Resident of Village - Dinapatti, P.S. Murliganj, District - Madhepura.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-01-2018 Heard the learned counsel for the petitioners and learned counsel for the State.

The petitioners seek anticipatory bail in connection with Kumarkhand PS case no. 46 of 2017 registered for the offences punishable under Sections 420, 467, 468, 120-B, 504 and 506 of Indian Penal Code.

The allegation is that the complainant has got four daughters only and the petitioner no.1 is the maternal grand son of the complainant while the petitioner nos. 2 and 3 are relatives of the petitioner no.1 and the complainant wanted to give 1 decimal of land to the petitioner no.1 since he i.e. grand son of the informant was staying with him since his childhood, however, in the process



of executing sale deed it appears that instead of 1 decimal, 4 decimals of land have been written. The further allegation is that in a Panchayati held at the village level, the petitioner no.1 promised to return 3 decimals of land, however, the same has not been returned till date.

The learned counsel for the petitioners submits that the petitioner no.1 is own grand son of the complainant and has been staying with the complainant since his childhood, however, on account of being induced by the other relatives, the petitioner no.1 and others have been falsely implicated in the present case. Nonetheless, it is submitted by the learned counsel for the petitioners that at best the present case is a case of civil nature and the appropriate remedy for the complainant lies before the civil court of competent jurisdiction. In any view of the matter, the petitioners have a clean antecedent.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender within six weeks before the learned court below the petitioners above named are directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Kumarkhand PS case no. 46 of 2017, subject to the conditions enumerated under Section 438(2) of Code of



Criminal Procedure.

(Mohit Kumar Shah, J)

BTiwary/-

U		T	
---	--	---	--

