

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67628 of 2018

Arising Out of PS. Case No.-131 Year-2018 Thana- PATAHI District- East Champaran

1. Bachcha Singh, Son of Late Madan Singh, Resident of Village-Khoripakar.
2. Sabila Khatoon, Wife of Wasi Akhtar, Resident of Village-Lahsaniya.
3. Pappu Mandal, Son of Prabhu Mandal, Resident of Village-Khoripakar.
4. Md. Jauaad, Son of Isha Mohammad, Resident of Village-Khoripakar.
5. Md. Sabir, son of Oshi Akhtar,
6. Osi Akhtar, Son of Md. Bal Hussain, SI. No.5 & 6 are resident of Village- Lahsaniya all are P.S.- Patahi (Pachpakri O.P.), Distt-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s	:	Mr. Dinesh Singh, APP
For the Informant	:	Mr. Rajeev Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 18-12-2018 Heard learned counsel for the petitioners and learned counsel for the State being assisted by the learned counsel for the informant.

The petitioners seek pre-arrest bail in connection with Patahi P.S. Case No.131 of 2018 registered for the offence punishable under Sections 420, 467, 468, 471 and 506 read with 34 of the Indian Penal Code.



It is submitted by the learned counsel for the petitioners that even if the entire allegations made in the first information report are believed to be true, no offence of cheating would be made out, as it is the purchaser of the land who can have grievance that he has been cheated by the seller. It is further contended that there is no truth behind the allegation made in the first information report and the vendor had right, title and possession over the land in question.

On the other hand, learned counsel appearing for the State submitted that 13.04 decimal of land of Khata no.56, Khesara no.234, which was coming in peaceful possession of informant Vikas Kumar Singh, who transferred through registered sale deed by the accused Bachha Singh in favour of accused Sabila Khatoon.

Considering the nature of dispute and other facts and circumstances of the case, in the event of arrest or surrender in the court below within a period of six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- 8th, East Champaran, Motihari in connection with Patahi P.S. Case No.131 of 2018 subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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