

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71521 of 2018

Arising Out of PS. Case No.-45 Year-2017 Thana- MAJHAULIA District- West Champaran

1. Sheoji Sah Son of late Prabhu Sah
2. Lakhan Raut Son of late Bulaki Raut
3. Ram Rati Devi Wife of Sheoji Sah All are Resident of Village-Sariswa, Police Station- Majhauilya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7
For the Opposite Party/s : Mr. Sri Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-12-2018 Heard both sides.

The petitioners apprehend their arrest in Majhauilya P.S. case No. 45 of 2017 registered under Section 420, 467, 468, 471, 387 of the Indian Penal Code.

The informant filed the complaint case alleging therein that he is owner of land in question and he got the land in his share in family partition but Ram Rati Devi, accused No.2, illegally sold the land in favour of Lakhan Raut, accused No.1.

The learned counsel for the petitioners submits that the land was recorded in the name of Gudar Teli. Guder Teli has three daughters, namely, Ghueli, Asiya and Dhuniya. Ghueli an Asiya died issueless. Dhuniya got four daughters. Ram Rati Devi, accused No.2/ petitioner No. 3, Lalmati Devi, Shakuntala Devi and Geeta Devi. The land was recorded in the name of Dhuniya. The informant has got no chit of paper to show that the land was recorded in the name of his ancestor.



The learned counsel for the informant opposed the prayer for anticipatory bail but could not be able to produce any chit of paper showing that the land was standing in the name of informant.

It appears that the dispute is of civil nature and police after investigation submitted final form finding the case of civil nature but the learned Magistrate took cognizance.

Considering the facts aforesaid and the nature of allegation made against the petitioners, 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Majhauriya P.S. case No. 45 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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