

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.23814 of 2018**

Arising Out of PS.Case No. -87 Year- 2017 Thana -WEST CHAMPARAN  
COMPLAINT District- WESTCHAMPARAN(BETTIAH)

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1. Sangita Devi, wife of Baldev Kushwaha

2. Most. Manki, wife of Late Mangal Manjhi

Both residents of village - Musahari Jaraj Tola, Post + Police  
Station - Dhanaha, District - West Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar.

2. Ramchandra Manjhi, son of Late Sukhram Manjhi resident  
of Mushahari Jaraj Tola, Post + Police Station - Dhanaha,  
District - West Champaran, at present resident of Padari  
Piparpati, Police Station - Jataha, District - Kushinagar,  
Uttar Pradesh.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Zainul Abedin, Adv.

For the O.P. No. 2 : Mr. Prithvi Nath Mishra, Adv.

For the State : Mr. Parmanand Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

ORAL ORDER

3    28-06-2018                      Heard the learned counsel for the petitioner,  
complainant/opposite party No. 2 and the State.

The petitioners seek bail in anticipation of their  
arrest in connection with Complaint Case No. 87(C) of 2017  
in which cognizance has been taken under Sections 467, 468,



469, 471 and 120B of the Indian Penal Code.

The complainant/opposite party No. 2 is said to have executed a sale-deed with respect to some land in favour of the petitioners and the petitioners despite their commitment to pay the consideration amount, never fulfilled their commitment. It has been alleged that by taking the complainant in good faith, the petitioners have got the sale-deed executed in their favour without paying the consideration amount.

Learned counsel for the petitioners has submitted that it is not probable that sale-deed will be executed in the Registry Office before the Registrar without payment of consideration amount. In fact, it has been submitted that the petitioners are *bona fide* purchasers and after the sale-deed was executed in their favour, they got the aforesaid purchased land mutated in their names.

Learned counsel appearing for the complainant/opposite party No. 2, however, submits that he is an illiterate person and only on the assurance of the petitioners that money shall be paid to him at his residence, he executed the sale-deed.

The aforesaid assertion of the complainant/opposite party No. 2 does not appear to be plausible.



In the facts and circumstances of the case aforestated, let the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, be released on bail on their furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Bagaha, West Champaran in connection with Complaint Case No. 87(C) of 2017 (Trial No. 1886 of 2017).

**(Ashutosh Kumar, J)**

Praveen-II/-

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