

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15470 of 2018

Arising Out of PS.Case No. -324 Year- 2017 Thana -DARIYAPUR District- SARAN

- =====
1. Sumita Devi @ Sunita Devi, W/o Binod Sah,
 2. Binod Sah S/o Late Bhagwan Sah, Both are R/o Village- Barway, P.S.-
Dariyapur, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nalin Kumar

For the Opposite Party/s : Mr. Sri Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 16-04-2018

Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 323, 341, 420, 467, 468, 504 and 506 of the Indian Penal Code.

The prosecution case got initiated with the written report of Phulmati Devi dated 13.12.2017 submitted to the Station House Officer, Dariyapur P.S. to the effect that the informant is a widow and hence she used to visit her native village occasionally. The petitioner no. 2 Binod Sah sold 7



kathas land of the informant in favour of his wife petitioner no. 1 Sumita Devi by getting Shanti Devi, mother-in-law of petitioner no. 1, impersonated as the informant and subsequently petitioner no. 1 sold the said land to one Sita Devi. On enquiry being made the informant was abused and was given threat to life.

It is submitted by learned counsel for the petitioners that petitioner no. 2 and the husband of the informant are own brothers and petitioner no. 1 is wife of petitioner no. 2. The land in question fell in the share of the petitioners and in the background of share dispute, the accusation has been levelled. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP, however, submits that there is specific accusation against the petitioners.

Considering the accusation being levelled in the background of share dispute and a statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned



ACJM-IV, Saran at Chapra in connection with Dariyapur P.S.
Case No. 324 of 2017, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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