

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54849 of 2018

Arising Out of PS. Case No.-1157 Year-2015 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. Most. Geeta Singh, W/o Late Sushil Kumar Singh,
 2. Varun Singh S/o Late Sushil Kumar Singh,
 3. Raj Bahadur Singh S/o Late Ruplal Singh,
 4. Sanjay Singh S/o Raj Bahadur Singh, All R/o Vill.- Kamat Tola, Rupauli South, Ward No. 13, Rupauli Milik, P.S.- Janki Nagar, District- Purnea.

... .. Petitioners

Versus

1. The State of Bihar.
2. Niteshwar Prasad Singh S/o Devendra Prasad Singh, R/o Vill.- Kamat Tola, Shilanath Rupauli, P.S.- Jankinagar, District- Purnea.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Suraj Narain Prasad Sinha, Sr. Advocate
		Mr. Bijendra Kumar Singh, Advocate
For the Opposite Party/s :		Smt. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 11-12-2018 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with C.A. Case No. 1157 of 2015, registered under Sections 406, 120(B) of the Indian Penal Code.

The allegation of complainant Niteshwar Prasad Singh is that in the year 1995, Bhag Narain Singh and two others filed Title Suit No. 102 of 1995 in the Court of Sub-Judge-I, Purnia against his father and seven others. The said suit was dismissed on 22.06.1998. Thereafter, Devendra Prasad Singh, father of the complainant died after mutating his name



according to Judgment and decree dated 22.06.1998 and the complainant also came in possession of the said land. In spite of dismissing the suit, Ajay Kumar Singh, who is one of the plaintiff of the said suit executed the sale deed of 62 decimals of land on 09.03.2010 in favour of Gita Singh and Bhagnaraian Singh also executed sale deed of 53 decimals of land in favour of Gita Singh and 30 decimals of land in favour of Raj Bahadur Singh on 30.03.2010, which is illegal.

Learned counsel for the petitioners submits that petitioner No.1 Most. Geeta Singh and Petitioner No.3 Raj Bahadur Singh are said to be vendee of the land in dispute, whereas, petitioner No.2 Varun Singh and petitioner No.4 Sanjay Singh are sons of petitioner Nos.1 and 3. Further submission is that against the Judgment and decree of Title Suit No. 102 of 1995, Title Appeal No. 64 of 1998 was filed, which is still pending for decision, but with ulterior motive, the complainant O.P. No.2 has filed the complaint case. The petitioners having no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail



bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M.-cum-Sub-Judge-I, Purnea in connection with C.A. Case No. 1157 of 2015 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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