

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37423 of 2018

Arising Out of PS.Case No. -158 Year- 2017 Thana -SHEOHAR District- SHEOHAR

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1. SHIVJI RAY @ SHIVNARAYAN RAY, Son of Late Raghunath Ray,
2. Janarasi Devi @ Banarasi Devi, Wife of Shivaji Ray @ Shivanarayan Ray,
Both Resident of Village- Sheohar, Tole- Ganeshpur, Ward No.15, Nagar
Panchayat, Sheohar, P.S.- Sheohar, District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-07-2018 The petitioners are apprehending their arrest in connection with Sheohar P.S. Case No. 158 of 2017, registered for offences punishable under Sections 467, 468, 420 and 120(B) of the Indian Penal Code.

Petitioner no. 1 happens to be brother of the informant and allegation against him that he got the sale deed pertaining to land of informant executed in favor of his wife, petitioner no. 2, which he had already sold in the year 1999 in favour of the informant .

It has been submitted on behalf of the petitioners that the land in question has never been sold by petitioner no. 1 and he himself is in the possession of the alleged land and the false



allegation has been levelled only to grab his land

Heard learned A.P.P. also as well as learned counsel for the informant. Learned counsel for the informant opposed the prayer for bail and submitted that in title suit, the thumb impression of the petitioner no. 1 was verified and it was found that it is his thumb impression with respect to the sale deed execute in the year 1999 and in spite of that the has executed the sale deed in favour of petitioner no. 2.

Having heard both sides, in view of the above facts as well as the fact that with respect to the land dispute a title suit is pending between the parties, as such, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheohar in connection with Sheohar P.S. Case No. 158 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable



property within the jurisdiction of the concerned Court.

- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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