

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65939 of 2018

Arising Out of PS. Case No.-109 Year-2018 Thana- CHAUTHAM District- Khagaria

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1. Sateesh Kumar @ Sateesh Kumar Singh @ Satish Kumar Singh, Son of Late Krishnaballav Singh, Resident of Village- Lalpur, P.S.- Chautham, District- Khagaria.
 2. Sunil Kumar Singh, Son of Hem Narayan Singh, Resident of Village & P.S.- Chautham, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha
For the Opposite Party/s : Smt. Rita Verma

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 21-12-2018 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Chautham P.S. Case No. 109 of 2018 registered under Sections 420 and 120(B) of the Indian Penal Code.

Informant is said to have purchased 12 Katha 5 dhur land from Shiv Narayan Singh and Bindeshwari Singh through registered sale deed in the year 1971 and is in possession of the said land. But abruptly on 22.05.2018 he came to know that petitioner no.1 Sateesh Kumar sold out aforesaid land to petitioner no.2 Sunil Kumar Singh illegally



and without any right and title in the property in question hatching conspiracy.

It is submitted by learned counsel for the petitioners that the petitioners are quite innocent. They have committed no offence. No such occurrence as alleged ever took place. As a matter of fact, the grandfather and forefather of petitioner no.1 namely Janki Singh and Dhorai Singh respectively had jointly purchased 1 Bigha 5 Katha land from Shital Mahto in the year 1924. Said Dhorai Singh sold out 12½ katha of land from the aforesaid purchased land in his life time and after demise of his forefather, grandfather and father, rest 12½ katha of land purchased by Janki Singh came in the possession of the petitioner no.1 as absolute owner thereof. Name of the aforesaid Janki Singh and Dhorai Singh is found mentioned in the revenue record and rent receipts are being issued in their favour. Out of the aforesaid land, petitioner no.1 sold out 7 katha 10 dhur to the petitioner no.2. They have filed documents in buttress of their case. It is purely a case of civil nature.

In 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) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Khagaria in connection with Chautham P.S. Case No. 109 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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