

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5218 of 2019

Arising Out of PS. Case No.-226 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Ajay Prasad @ Ajay Kumar Son of Late Mohan Lal Prasad Resident of Village - Siswania, P.S. Ramgharwa, Dist.- East Champaran
 2. Ashok Prasad @ Ashok Kumar Son of Late Yoganand Prasad @ Yogendra Prasad Resident of Village - Siswania, P.S. Ramgharwa, Dist.- East Champaran
 3. Pradeep Kumar @ Pradeep Prasad Son of Late Yoganand Prasad @ Yogendra Prasad Resident of Village - Siswania, P.S. Ramgharwa, Dist.- East Champaran
 4. Urmila Devi Wife of Pradeep Kumar @ Pradeep Prasad Resident of Village - Siswania, P.S. Ramgharwa, Dist.- East Champaran

... .. Petitioner/s

Versus

1. State of Bihar
2. Jayram Raut Son of Late Jhagru Raut Resident of Village - Siswania, P.S. Ramgharwa, Dist.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Shahnawaz Ali
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-01-2019 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 420, 468 of the Indian Penal Code.

The prosecution case, in brief, is that the accused persons are said to have sold the land of the government school, in question, fraudulently by five sale deeds.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners



have been made accused in the present case due to mistake of fact. It is alleged that the petitioners and others sold the land of the government school. An inquiry was conducted by DCLR. A report was submitted which is Annexure-3 to this application. From the said inquiry report, it is evident that no land of government school, in question, has been sold. The police has found the case to be false. Final form has been submitted in this case.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Raxaul at Motihari in connection with Complaint Case (Rax) C No. 226 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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