

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6533 of 2019

Arising Out of PS. Case No.-215 Year-2018 Thana- PIPRAKOTHI District- East Champaran

1. Uma Devi, w/o Lalan Sah Resident of Village-Darmaha Tola Dilokwa, P.S.- Kesariya, District - East Champaran
2. Lalan Sah, S/O Ramadhar Sah, Resident of Village-Darmaha Tola Dilokwa, P.S.- Kesariya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sangeet Deokuliar
For the Opposite Party/s :	Mr. A.M.P. Mehta, A.P.P.
For the informant	Dr. K.d. Sharma, Advocate.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 03-05-2019 Heard learned counsel for the petitioners, learned counsel for the informant and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Pipra Kothi P.S. Case No. 215 of 2018, registered under Sections 341, 323, 406, 420, 504 and 506/34 of the Indian Penal Code.

The accusation is that Shiv Ji Sah, who was in need of money, approached to the informant, Bireshwar Sah, to sale seven dhoor land of Plot No. 1604, Khata No 119 on payment of consideration money of Rs.1,00,000/-. Accordingly, informant Bindeshwar Sah and Shiv Ji Sah went to the registry office on 27.07.2018 and paper of sale deed was prepared, where Shiv Ji



Sah put his signature and witnesses also put signature on the sale deed paper but the sale deed could not be placed before the Sub-Registrar, Registry Office for registration. Thereafter, informant and Shiv Ji Sah along with witnesses returned to their home and later on, Shiv Ji Sah started to avoid to go to the Registry Office for presentation of paper of sale deed. In the meantime, informant came to know that Shiv Ji Sah has transferred the aforesaid land in the name of Uma Devi, wife of Lalan Sah. Thereafter, Panchayat was arranged on 08.09.2018, in which, it was decided that Shiv Ji Sah place the paper of sale deed within two days but on 10.09.2018 informant reached at the door of the Shiv Ji Sah, where Shiv Ji Sah and petitioners refused to present the paper of sale deed before the Sub-Registrar and also abused and assaulted to him.

Learned counsel for the petitioner submits that petitioner no. 1 is sister of Shiv Ji Sah, who is said to be entered into an agreement to execute the sale deed of 7 dhoor land with the informant, and petitioner no. 2, being husband of petitioner no. 1 have falsely been implicated in this case due to ulterior motive.

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 six 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 Chief Judicial Magistrate, Motihari, East Champaran, in connection with Pipra Kothi P.S. Case No. 215 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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