

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11364 of 2019

Arising out of PS. Case No.-583 Year-2017 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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1. KRISHNA YADAV son of Late Hari Yadav Resident of Village- Chatra, P.S.- Fesar, District- Aurangabad (Bihar)
 2. Rameshwar Singh Son of Hardeo Singh Resident of Village- Chura, P.S.- Barun, District- Aurangabad (Bihar)
 3. Akash Kumar Son of Krishan Yadav Resident of Village-Chatra, P.S.- Fesar, District- Aurangabad (Bihar)
 4. Bishundeo Yadav @ Bishnudeo Yadav Son of Shyam Bihari Yadav Resident of Village-Chatra, P.S.- Fesar, District- Aurangabad (Bihar)
 5. Dharmendra Yadav @ Dharmendra Singh Son of Birju Singh @ Birju Yadav Resident of Village- Chura, P.S.- Barun, District- Aurangabad (Bihar)
 6. Shyam Bihari Yadav Son of Late Hari Yadav Resident of Village- Chatra, P.S.- Fesar, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Briksh Singh son of Late Anupa Singh Resident of Village- Chatra, P.S.- Fesar, District- Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-02-2019 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners seek regular bail in connection with
Complaint Case No. 583 of 2017 registered for the offence
punishable under Sections 417, 420 and 120(B) of the Indian
Penal Code.

The allegation is regarding the accused persons



having misappropriated the land of the complainant by illegally transferring the same in favour of the co-accused person namely Dharmendra Yadav while some of the co-accused persons were also witness to the same.

The learned counsel for the petitioners submits that the allegation levelled in the complaint is purely a civil dispute and remedy of the complainant lies before a competent court of civil jurisdiction for which they have already filed a Title Suit No. 187 of 2017 and in fact the accused persons have also filed one other Title Suit bearing T.S. No. 227 of 2016. It is submitted that the petitioners have clean antecedent and they are languishing in custody since 16.01.2019.

Having regard to the facts and circumstances of the case, the petitioners, above named, are directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Complaint Case No. 583 of 2017.

(Mohit Kumar Shah, J)

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