

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13803 of 2019

Arising Out of PS. Case No.-247 Year-2013 Thana- MAJHAULIA District- West Champaran

1. Kaju Singh, Son of Late Singhasan Singh Resident of Village- Hemantpur, P.S.- Dhobaha, District- Ara.
2. Sarita Devi @ Sarita Wife of Sri Genda Singh Resident of Village- Hemantpur, P.S.- Dhobaha, District- Ara.

... .. Petitioner/s

Versus

THE STATE OF BIHAR,

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 19-06-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Majhauria P.S. Case no. 247 of 2013, registered under Sections 364, 302 and 201 of the Indian Penal Code.

The accusation is that after death of wife, Genda Singh, brother of complainant/informant kept to petitioner No.2 Sarita Devi at his house and developed physical relation. In the meantime, petitioner No.1 Kaju Singh, Bhagina of the informant, developed physical relation with petitioner No.2 and on allurement of job he took Gena Singh and petitioner No.2 at



kerla. After 8-9 months, both the petitioners returned and demanded land in share of Gena Singh. When informant asked about his brother Gena Singh then they did not disclose anything and on search no trace was found.

Learned counsel for the petitioners submits that it would appear from F.I.R. itself that petitioners have falsely been implicated in this case only to grab the land of Genda Singh. Further submission is that informant has filed the compromise petition after settlement of land dispute in the Court of Chief Judicial Magistrate, Bettiah, which would appear from Annexure-2.

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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Majhaulia P.S. Case No. 247 of 2013, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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