

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16401 of 2019

Arising Out of PS. Case No.-2198 Year-2014 Thana- COMPLAINT CASE District- Jamui *

1. Most. Rudrani Devi, aged about 70 years, Female, Wife of late Saryug Singh, Resident of Village - Indhpe, P.S. and Distt - Jamui.
2. Mithlesh Kumar Singh, aged about 40 years, Male, Son of Sri Ashok Kumar Singh, Resident of Village Rajaun, Chowki, PS and Distt - Lakhisarai.
3. Vijay Kumar Singh, aged about 45 years, Male, Son of Late Laxmi Singh, Resident of Village Indhpe, PS and Distt - Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pradeep Kumar Bhalotiya, aged about 55 years, Male, Son of Late Shyam Sunder Bhalotiya, Resident of Purani Bazar Jamui, PS and Distt - Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-03-2019 Heard both sides.

Petitioners apprehend their arrest in Complaint Case No.2198C of 2014, for the offences allegedly committed by the petitioners under Sections 323, 341, 467, 468, 471 and 420 of the Indian Penal Code.

The complainant alleged that on 03.10.1989, he purchased 7½ decimals of land of Khata No.32, Khesra No.1017 from Jamuna Singh and others and got his name mutated vide Jamabandi No.729. The complainant knew that one Rudrani Devi, petitioner no.1, executed sale deed with regard to 3¾ decimals of land of Plot No.1017 of Khata No.32 in favour of petitioner no.2, Mithlesh Kumar Singh on 21.10.2014. Petitioner No.3, Vijay



Kumar Singh is a witness of the sale deed.

Learned counsel for the petitioners submits that Jamuna Singh and Sarjug Singh, the husband of Most. Rudrani Devi were own brothers. Jamuna Singh had no right to sell the entire land in favour of the complainant. Title Suit No.4 of 2015 is filed for declaration of title between the two sides in which the complainant is the plaintiff and Most. Rudrani Devi is defendant no.2.

Taking into consideration the facts that petitioner no.1 also claimed half share in Plot No.1017 of Khata No.32 being the widow of Sarjug Singh, who happens to be own brother of Jamuna Singh, and the complainant has already filed Title Suit No.4 of 2015 for redressal of his grievance, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged on bail 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, Jamui in connection with Complaint Case No.2198C of 2014, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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