

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17962 of 2019

Arising Out of PS. Case No.-2781 Year-2013 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Ramji Thakur, aged about 35 Years, Male, Son of Ganga Thakur, Resident of Village - Siswa Maldahiya, P.S.- Paharpur, Distt.- East Champaran.
 2. Mansha Thakur, aged about 55 Years, Male, Son of Late Sheo Dhari Thakur, Resident of Village-Siswa Maldahiya, P.s.- Paharpur, Distt.- East Champaran.

... .. Petitioners

Versus

1. The State of Bihar.
2. Madan Thakur, Son of Late Ganesh Thakur,, Resident of Village - Siswa Maldahiya, P.S.- Paharpur, Distt.- East Champaran.

... .. Opposite Parties

Appearance :

For the Petitioners : Mr.Krishna Kant Singh, Advocate.
For the State : Mr.Md. Matloob Rab, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-03-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 468/34 and 120(B) of
the IPC.

The prosecution story, in brief, is that the Partition
Suit No. 24 of 1965 was decided on the basis of the compromise
in which the father of the complainant Ganesh Thakur was
Plaintiff No. 5 and 02 Katha 03 Dhur land of Khata No. 232
Khesra No. 761 was allotted in favour of accused persons and



rest land remained in share of the complainant's side. Thereafter, as per judgment passed in the said case, the parties came in possession of their respective land. After some times, accused persons started claiming their possession over 5 Katha 3 Dhur land of Khata No. 232 Khesra No. 761 by showing the papers. The complainant obtained certified copy of papers relating to details of land mentioned in Schedule-1 of compromise petition and came to know that area of the land has been changed as 5 Katha in place of 2 Katha and Khesra No. 519 has also been changed as Khesra No. 529. In this way, the accused persons have committed cheating with the complainant and committed forgery in the compromise petition with the connivance of officials of the court.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The police has submitted final form against the petitioners. The case is proceeded on the basis of protest-cum-complaint. The matter relates to civil dispute.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R./



complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned A.C.J.M.-VI, East Champaran, in connection with Complaint Case No. C-2781/13, Trial No. 2511/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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