

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24924 of 2019

Arising Out of PS. Case No.-76 Year-2015 Thana- CHAPRA TOWN District- Saran

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1. Satya Prakash Son of Dularchand Rai Resident of Mohalla-Mission Compound, P.S.- Chhapra Town, Distt.- Saran.
 2. Santosh Kumar Son of Raghubansh Singh Resident of Village - Sadha, P.S.- Chapra Muffassil, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 18-04-2019 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in connection with Chapra Town P.S. Case no. 76 of 2015 registered under Sections 323, 120(B), 420, 406, 409, 467, 468, 471 and 504 of the Indian Penal Code.

Petitioners are said to have purchased 3 Katha additional land of the informant of Khata No. 1501, Survey No. 1966 besides agreed land without making payment of the same. During the course of registration of the aforesaid documents, on query made by the personnel of Registrar Office of the Registry, the aforesaid fact came to light. Whereupon Sub-Registrar



impounded the aforesaid documents.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. As a matter of fact, the informant had sold out the land by two sale deeds both dated 16.12.2014 in favour of the petitioners taking adequate sale consideration and appearing before the Sub-Registrar admitting the execution of the said documents and on her admission of the execution of the documents, the aforesaid documents have been registered and the petitioners have obtained the certified copy of the same. Petitioners have been made victim at the hand of the informant as the aforesaid land hailing to the father of the informant, had already been gifted out by her father in favour of one Jitendra Kumar and said Jitendra Kumar had filed Title Suit No. 394/2015 against the informant and the petitioners.

On the other hand, learned APP opposed the bail prayer of the petitioners.

In 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) each with two sureties of the like amount each to the satisfaction of learned C.J.M. Saran at Chapra in connection with Chapra Town P.S. Case no. 76 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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