

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31674 of 2019

Arising Out of PS. Case No.-34 Year-2018 Thana- AMARPUR District- Banka

1. KAILASH MANDAL Son of Late Arjun Mandal Resident of Village - Galimpur, P.S.- Amarpur, District- Banka
2. Vivekanand Panjiyara @ Vivekanand Mandal Son of Late Narsingh Panjiyara Resident of Village - Galimpur, P.S.- Amarpur, District- Banka
3. Dilip Mandal Son of Mannu Mandal Resident of Village - Galimpur, P.S.- Amarpur, District- Banka
4. Janardhan Singh Son of Asarfi Singh Resident of Village - Galimpur, P.S.- Amarpur, District- Banka
5. Sanjay Sah Son of Late Krishna Sah Resident of Village - Galimpur, P.S.- Amarpur, District- Banka
6. Sunil Kumar Singh Son of Mahendra Prasad Singh Resident of Mohalla- Mahavir Nagar, Ward No.-9, P.S. - Banka, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar Jha
For the Opposite Party/s : Mr.Ajay Kumar-I

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-05-2019 Heard both sides.

The petitioners apprehend their arrest in Amarpur P.S. case No. 34 of 2018 registered under Section 341, 323, 120B, 467, 385, 420, 468, 471, 504, 506/34 of the IPC.

The informant claimed that his ancestors purchased the land from the ancestors of Shankar Mandal, Kailash Mandal, petitioner No.1, Munni Lal Mandal, Lakhan Mandal and others for which Title Suit No. 1/61 was also filed in the court of



learned Sub Judge, Bhagalpur and the suit was decreed on 22.12.1964 but Kailash Mandal and others fraudulently got their names mutated and on the basis of rent receipts Kailash Mandal sold the land in favour of Vivekanand Panjiyar, Dilip Mandal, petitioner Nos. 2 and 3, and Sunil Kumar Singh, petitioner No.6. Petitioner No.4, Janardhan Singh and petitioner No.5, Sanjay Sah, are witnesses of the sale deed. It is submitted that the land still stands in the name of Kailash Mandal, petitioner No.1. Kailash Mandal had no knowledge about the judgement passed in Title Suit No. 1/61. Kailash Mandal inherited the land from his ancestors.

It appears that the dispute is of civil in nature. Kailash Mandal executed the sale deed and claims the land to be his ancestral land whereas the informant claimed that ancestors of Kailash Mandal and others sold the land to the ancestor of informant.

Considering the facts aforesaid and nature of allegation made against the petitioners, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/- (rupees ten



thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. case No. 34 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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