

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32973 of 2019

Arising Out of PS. Case No.-22 Year-2019 Thana- NIMCHAKBATHANI District- Gaya

1. NARESH SINGH Son of Late Deo Charan Singh Resident of Village - Saren, P.S.- Neemchak, Bathani, Dist.- Gaya.
2. Mahesh Singh Son of Late Deo Charan Singh Resident of Village - Saren, P.S.- Neemchak, Bathani, Dist.- Gaya.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sanjay Kumar Son of Tori Singh Resident of Village - Saren, P.S.- Neemchak, Bathani, Dist.- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar
For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 21-05-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Neemchak Bathani P.S. Case No.22 of 2019 registered under Sections 420 and 406 of the Indian Penal Code.

The accusation is that Naresh Singh (petitioner no.1) sold three decimal land to the informant/opposite party no.2 on consideration amount of Rs.50,000/- and in that regard, sale deed was prepared on stamp paper on which Suresh Singh and Mahesh Singh (petitioner no.2) put their signatures as witnesses. When the informant collected the materials for the construction of the house on the said land, then the petitioner no.2 asked the informant that he will



not permit him to construct the house because the said land is Gairmajurwa of the Bihar Government. As such, the petitioners cheated the informant/opposite party no.2.

Learned counsel for the petitioners submits that, in fact, three decimal land was sold to the informant/opposite party no.2 by the petitioner no.1 but the informant/opposite party no.2 stated to encroach the land of the Government, situated adjacent to three decimal purchased land and when the petitioners made objection, the informant/opposite party no.2 lodged the present case only to put undue pressure upon the petitioners.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, 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 the Additional Chief Judicial Magistrate, Gaya, in connection with Neemchak P.S. Case No.22 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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