

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43544 of 2019

Arising Out of Case No.-2615 Year-2018 EAST CHAMPARAN COMPLAINT District-
East Champaran

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1. PAPPU MAHTO @ PAPU MAHTO Son of Phulena Mahto Resident of Village - Ijara Tola Bhitbherva, P.S.- Sangrampur, Distt - East Champaran.
 2. Dasharath Mahto Son of Late Surya Mahto Resident of Village - Ijara Tola Bhitbherva, P.S.- Sangrampur, Distt - East Champaran.
 3. Shankar Mahto Son of Late Surya Mahto Resident of Village - Ijara Tola Bhitbherva, P.S.- Sangrampur, Distt - East Champaran.
 4. Jhaman Mahto Son of Late Surya Mahto Resident of Village - Ijara Tola Bhitbherva, P.S.- Sangrampur, Distt - East Champaran.
 5. Mahdubala Devi Wife of Kamlesh Tiwari Resident of Village - Purandarpur, P.S.- Malahi.
 6. Anita Devi Wife of Shashi Ranjan Upadhyay Resident of Village - Gadapur, P.S.- Harsidhi, Distt - East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Arvind Ojha S/o-Lalan Ojha R/o- vill-Ijara tola, Bhitbherva, P.s.- Sangrampur, Dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murali Sharan Tiwari
For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 18-07-2019 Heard both sides.

The petitioners apprehend their arrest in Complaint case No. C 2615 of 2018 registered under Section 420, 467, 468, 471, 120B, 323, 329, 504, 387 of the IPC.

The complainant alleged that he purchased land of Khata No. 67 Khesra 1048 but Madhubala Devi and Anita Devi, petitioners No. 5 and 6, sold the land in favour of petitioners No. 1 to 4 by practicing fraud.

The learned counsel for the petitioners submits that



petitioners No. 5 and 6 are daughters of Gauri Shanker Ojha. Gauri Shankar Ojha has got three daughters and all the three daughters inherited the ancestral property. Lallan Ojha is coparcener of Gauri Shankar Ojha and son of Lalan Ojha also purchased a piece of land of Khata No. 67, Khesra No. 1048 from Ujala Devi, sister of petitioners No. 5 and 6.

Taking into consideration the facts petitioners No. 5 and 6 claimed the land sold by them as their ancestral property inherited from their father and they bonafide executed sale deed in favour of petitioners No. 1 to 4, 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 Judicial Magistrate, 1st class, East Champaran, Motihari in connection with Complaint case No. C 2615 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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