

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.41518 of 2019

Arising Out of PS. Case No.-489 Year-2016 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. JANARDAN RAI, Male, aged about 65 years, Son of Late Ram Shekhar Rai ,Resident of Village - Banhara, P.S.- Teghara, in the dist. of Begusarai
 2. Suresh Rai, Male, aged about 53 years, Son of Late Brahmdeo Rai, Resident of Village - Banhara, P.S.- Teghara, in the dist. of Begusarai
 3. Pashupati Rai, Male, aged about 54 years, Son of Ram Jatan Rai, Resident of Village - Banhara, P.S.- Teghara, in the dist. of Begusarai
 4. Most. Bijli, Female, aged about 63 years, Devi Wife of Late Ram Sharan Rai, Resident of Village - Banhara, P.S.- Teghara, in the dist. of Begusarai
 5. Most. Kranti Devi @ Kanti Devi, Female, aged about 50 years, Wife of Late Ram Naresh Rai Resident of Village - Banhara, P.S.- Teghara, in the dist. of Begusarai

... Petitioners

Versus

1. The State of Bihar
2. Smt. Pramila Devi, aged about 43 years, Female, D/o Kailash Mahto, Resident of Village - Mahana, P.S.- Barauni in the dist. of Begusarai

... Opposite Parties

Appearance :

For the Petitioners : Mr. Prabhu Narayan Sharma, Adv.

For the Opposite Parties : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-07-2019

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Complaint Case No. 489C of 2016 for the offences alleged under Sections 420, 406 and 120B of the Indian Penal Code.

The accusation is that petitioners who are residents of maternal uncle's village of husband of complainant, Parmila Devi, and Anandi Rai approached to Kailash Mahto, husband of the complainant, and her in-laws to purchase the land situated in village Banhara and after negotiation Rs.2,10,000/- was paid. Petitioners accompanied the husband of the complainant at village Banhara and the land of 10 katha



10 dhur situated inside the road but in the draft of the sale deed, description of the land was shown, as such, all cheated to husband and in-laws of complainant.

The submission of the learned counsel for the petitioners is that the dispute is of civil nature. More over complainant has already filed Title Suit No.411 of 2014, which is pending before the Court of Sub Judge, I, Begusarai.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Complaint Case No. 489C of 2016 shall be released on pre-arrest bail on furnishing bail bonds 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, I, Begusarai, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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