

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72724 of 2018

Arising Out of PS. Case No.-264 Year-2018 Thana- SARAN COMPLAINT CASE District-
Saran

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1. Kalawati Kuwar, Wife of Late Ram Rati Singh, Daughter of Late Dina Nath Singh, resident of Village- Manjhan, Police Station- Doriganj, District- Saran.
 2. Girija Devi, Wife of Bajrangi Rai.
 3. Harangi Rai, Son of Late Shivpujan Rai.
Both are resident of Village- Jalalpur, Police Station - Doriganj, District- Saran.
 4. Sheo Saran Mahto, Son of Late Raghu Nath Mahto.
 5. Nirmal Bhagat, Son of Late Mathura Bhagat.
Both are resident of Village- Bhairapur Nijamat, Police station- Doriganj, District- Saran.

... .. Petitioners.

Versus

1. The State Of Bihar.
2. Ram Ayodhya Prasad, Son of Satya Narayan Sah, Resident of Village- Bhairapur Nizamat, Police Station- Doriganj, District- Saran.

... .. Opposite Parties.

Appearance :

For the Petitioners	:	Mr. Shatrughan Pandey, Advocate.
For the State`	:	Mr. Sakir Ahmad, A.P.P.
For the Opposite Party No.2	:	Mr. Akhileshwar Pandey, Advocate.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 22-04-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State as also the learned counsel appearing for the opposite party no.2.

The petitioners apprehend their arrest in connection with Complaint Case No.264 of 2018/ Tr. No.2523 of 2018 registered under Sections 467, 468, 323 and 504/34 of the Indian Penal Code.



The accusation is that Satya Narayan Sah, the father of the opposite party no.2, got executed two sale deeds on 26.05.1958 and 19.11.1960 from Ramgovind Mahto, son of Jitan Mahto, in respect of 7 Katha 5 Dhur land of Plot Nos.829 and 849 of village-Manpur Manjhan and his name was also mutated but, later on, the petitioner no.1 Kalawati Kuwar sold 4 Katha land of the aforesaid plots, which was purchased by the father of the opposite party no.2, to the petitioner no.2 Girija Devi. On the sale deeds, Harangi Rai (petitioner no.3), Sheo Saran Mahto (petitioner no.4) and Nirmal Bhagat (petitioner no.5) are the identifiers/witnesses. When the opposite party no.2 made protest, he was abused and assaulted by the aforesaid persons.

Learned counsel appearing on behalf of the petitioners submits that Ram Govind Koiri, the grandfather of the petitioner no.1 Kalawati Kuwar had never executed any sale deed and the present case has been lodged with false allegation and forged document. Further submission is that the dispute, as alleged in the complaint petition, appears to be civil in nature and the petitioners have no criminal antecedents.

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-VII, Saran at Chapra, in connection with Complaint Case No.264 of 2018/Tr. No.2523 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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