

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48147 of 2019

Arising Out of PS. Case No.-74 Year-2018 Thana- MURAR District- Buxar

1. CHANDRAWATI DEVI Wife of Shiv Bali Pathak Resident of Village- Kachaeriya, P.S.- Karansaray, District- Buxar.
2. Reeta Devi Wife of Prabhu Narayan Pandey Resident of Village- Kachaeriya, P.S.- Karansaray, District- Buxar.
3. Basisth Ojha Son of Late Sri Narayan Ojha Resident of Village- Ojha Baroon, P.S.- Murar, District- Buxar.
4. Kamal Ojha Son of Late Sri Narayan Ojha Resident of Village- Ojha Baroon, P.S.- Murar, District- Buxar.
5. Suresh Ojha Son of Late Sri Narayan Ojha Resident of Village- Ojha Baroon, P.S.- Murar, District- Buxar.
6. Santosh Ojha Son of Late Sri Narayan Ojha Resident of Village- Ojha Baroon, P.S.- Murar, District- Buxar.
7. Amit Ojha Son of Late Sri Narayan Ojha Resident of Village- Ojha Baroon, P.S.- Murar, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Awadhesh Kumar Mishra
For the Informant	:	Mr. Bachan Jee Ojha
		Mr. Anand Kumar Ojha
For the State	:	Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-08-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 467, 468, 406, 420 and 120B/34 of the IPC.

The prosecution case is that with regard to share of the land of the informant, Asha Devi, petitioner no.2, Reeta Devi



executed a sale deed by impersonating as Asha Devi.

It is submitted by learned counsel for the petitioners that the informant, Asha Devi claims to be the daughter of late Chatradhari Ojha, whereas she is actually the daughter of Narayan Ojha. Hence, by virtue of claiming wrong lineage, she is claiming share on the land in question. Moreover, with regard to the land in question, Title Suit No. 341 of 2018 is also pending.

Learned counsel for the informant submits that the father of the informant, late Chatradhari Ojha has two daughters, namely, Asha Devi, the informant and Chandrawati Devi and in order to grab the land of the informant's share, fraudulently sale deed has been executed by petitioner no.2, Reeta Devi.

Considering the nature of accusation, arising out of civil nature of dispute, coupled with the fact that with regard to the land in question, title suit is also pending, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Buxar in connection with Murar P.S. Case No. 74 of 2018,



subject to the condition as laid down under Section 438(2) of
the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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