

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48516 of 2019

Arising Out of PS. Case No.-676 Year-2018 Thana- BANKA District- Banka

1. Lambodar Bhagat, Son of Late Yamuna Prasad Bhagat, Resident of Village-Amarpur, Police Station-Amarpur, District-Banka.
2. Manjula Devi, Wife of Lambodar Bhagat, Resident of Village-Amarpur, Police Station-Amarpur, District-Banka.
3. Kumar Krishna Mohan @ Krishna Mohan, Son of Lambodar Bhagat, Resident of Village-Amarpur, Police Station-Amarpur, District-Banka.
4. Purnendu Kumar, Son of Lambodar Bhagat, Resident of Village-Amarpur, Police Station-Amarpur, District-Banka.
5. Kumar Nilmoan @ Balendu Kumar, Son of Lambodar Bhagat, Resident of Village-Amarpur, Police Station-Amarpur, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-08-2019 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Banka P.S. Case No. 676 of 2018 registered under Sections 420, 467
and 468 of the Indian Penal Code.

The accusation is that in the village Murhara, ancestral
land of informant was in the name of his grandfather and his
brothers. On oral partition, land is divided in between his father and
uncle and in course of negotiation for selling the land, informant
came to know that his uncle (petitioner no. 1) along with his wife



(petitioner no.2) and sons (petitioner no. 3, 4 and 5) in collusion with the then Circle Officer and Karamchari of Block got mutated his name regarding the land of his father.

Learned counsel for the petitioners submits that, in fact, Shiv Dayal Bhgat, one of the brother of petitioner no.1, gifted his property to petitioner no. 1 and thereafter, the land of Shiv Dayal Bhagal was mutated in favour of petitioner no. 1 and for cancellation of gift deed, Damodar Bhagat, father of the informant, has filed Title Suit No. 18 of 2012, which is pending for disposal, but with ulterior motive the present case has been lodged with false allegation.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) six with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No. 676 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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