

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55081 of 2019

Arising Out of PS. Case No.-153 Year-2018 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

-
-
1. Jyotish Yadav S/o Late Mahabir Prasad Yadav @ Saryug Prasad Yadav
 2. Amrita Devi W/o Late Shankar Yadav
 3. Manoj Yadav S/o late Mahabir Prasad Yadav @ Saryug Prasad Yadav
 4. Kapildeo Yadav S/o Late Mahabir Prasad Yadav @ Saryug Prasad Yadav

All are residents of village- Auliabad, P.S.- Bihpur, District- Bhagalpur

... .. Petitioners

Versus

1. The State Of Bihar
2. Bouku Yadav S/o Late Saryug Prasad Yadav @ Mahabir Prasad Yadav R/o village- Auliabad, P.S.- Bihpur, District- Bhagalpur

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Choudhary

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

4 27-11-2019 Supplementary affidavit is filed on behalf of the
petitioners. Let it be kept on record.

Heard learned counsel for the petitioners, learned
counsel for opposite party no. 2 as well as learned Additional



Public Prosecutor for the State.

Petitioners seek bail in a case registered for the offence punishable under Section 420/34 of the Indian Penal Code.

The accusation against the petitioners is that they got executed forged sale deed impersonating the mother of the complainant/opposite party no. 2. However, claim of the petitioners is that mother of the complainant had executed sale deed in respect of lands in question.

Learned counsel of opposite party no. 2 submits that husband's name of mother of the complainant has wrongly been mentioned in sale deed as Mahavir Yadav and the aforesaid fact clearly indicates that mother of the complainant was not present when the sale deed in question was executed.

Moreover, it is informed on behalf of the petitioners that title suit is pending between the parties.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also keeping in mind that petitioners are in jail custody since 25.06.2019, order dated 02.09.2019, by which the petitioners were granted provisional bail, is, hereby, confirmed.

Let this order be communicated to Shree D.K. Yadav



(I.C.), Judicial Magistrate 1st Class, Naugachhia, Bhagalpur in
connection with Complaint Case No. 153 of 2018.

(Hemant Kumar Srivastava, J)

shahzad/-

U		T	
---	--	---	--

