

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60982 of 2019

Arising Out of PS. Case No.-329 Year-2019 Thana- CHIRAIYA District- East Champaran

1. NAGINA DEVI Wife of Jiyalal Prasad Yadav Resident of Parewa, P.S.- Pakaridayal, District- East Champaran
2. Indrawati Devi Wife of Ramsagar Prasad Yadav Resident of Dhanauji, P.S.- Pakaridayal, District- East Champaran
3. Sheo Kumar Devi Wife of jaishri Prasad Yadav Resident of dhanauji, P.S.- Pakaridayal, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-10-2019 Heard both sides.

The petitioners apprehend their arrest in Chiraiya (Sikarganj) P.S. case No. 329 of 2019 registered under Section 147, 148, 342, 448, 327, 379, 420, 427, 440, 467, 468, 471 of the IPC.

The Circle Officer, Chiraiya alleged that the accused persons including the petitioners in collusion with the Revenue Clerk got the land mutated in their names by virtue of a sale deed although the land is Gairmazarua Aam and belonged to the State of Bihar.

The learned counsel for the petitioners submits that the petitioners are ladies. The petitioners are purchasers from Pankaj Kumar Jaiswal, owner of the land, by virtue of sale deed dated 26.09.1998. The petitioners have also filed Title Suit No. 64 of 2019 and the same is pending. If the authority finds that



the names of the petitioners were illegally mutated in contravention of any law or circular the authority may initiate proceeding for cancellation of Jamabandi standing in the name of the petitioners. Mere assertion that the land is Gairmazarua Aam cannot make out any case against the petitioners. The petitioners are bonafide purchasers.

Considering the facts aforesaid and nature of allegation made against the petitioners and the fact that petitioners are ladies, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to 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 learned Sub divisional Judicial Magistrate, Sikrahana, East Champaran in connection with Chiraiya (Sikarganj) P.S. case No. 329 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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