

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62354 of 2019

Arising Out of PS. Case No.-486 Year-2014 Thana- SAHARSA District- Saharsa

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1. MANJU DEVI Wife of Ram Bilash Mehta Resident of Village-Kadhaiya, P.S.-Sour Bazar, District-Saharsa.
 2. Mitu Singh Wife of Santosh Kumar Singh Resident of Village-Bhotiya, P.S.-Bakhtiarapur, District-Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 15-10-2019 Let the supplementary affidavit filed on behalf of the petitioners be kept on the record.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Saharsa Sadar P.S. Case No.486 of 2014 registered under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code.

The accusation is that on the basis of the power of attorney executed by Keshav Kumar Sinha, son of Late Kamta Prasad, resident of Kayastha Tola, Ward No.28, P.S. and District-Saharsa, in favour of Lalo Sharma, the informant



purchased 6 Katha land of new Khata No.502/ New Khesra Nos.547 and 548. Thereafter, his name was mutated in the revenue record of the aforesaid plot. Out of which, one Katha land was sold by him to Sunaina Devi wife of Arun Yadav and the remaining land was in his possession but the remaining land of the said plot was sold by Manoj Kumar Sinha, son of Late Kamta Prasad, resident of Kayastha Tola, Ward No.28, P.S. and District-Saharsa, in favour of the petitioners and Rikesh Singh under conspiracy preparing the forged sale deed.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that the informant got executed the sale deed from Lalo Sharma on the basis of the power of attorney executed in his favour by Keshav Kumar Sinha but, later on, the aforesaid power of attorney was cancelled on 13.10.2012. Thereafter, Manoj Kumar Sinha, the brother of Keshav Kumar Sinha, himself executed the sale deed in favour of the petitioners and one Rikesh Kumar Singh. Only to put undue pressure and with an ulterior motive, the informant has lodged the present case, while the petitioners are bonafide purchasers of the aforesaid land.

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 Chief Judicial Magistrate, Saharsa, in connection with Saharsa Sadar P.S. Case No.486 of 2014, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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