

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62026 of 2018

Arising Out of PS. Case No.-301 Year-2017 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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1. Binod Kumar Jha, S/o Late Umakant Jha, R/o Vill.- Singhwara Gopal, P.S.- Bahadurpur, District- Darbhanga.
 2. Rakesh Kumar Das, S/o Late Ram Sewak Das, R/o Vill.- Sanahpur, P.S.- Singhwara, Distt.- Darbhanga.
 3. Rohit Jha, S/o Sarshwar Jha, R/o Vill.- Kaligaon, P.S.- Singhwara, Distt.- Darbhanga.
 4. Dahaur Das, S/o Late Gurku Das,
 5. Sachindra Das, S/o Gurku Das,
 6. Chander Das, S/o Dahur Das,
 7. Sukkun Das, S/o Late Jagdish Das,
 8. Upendra Das @ Bhunni Das, S/o Late Gurku Das, All 4 to 8, R/o Vill.- Kaligaon Tola Kalyanpur, P.S.- Singhwara, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Kamran, Advocate.
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 31-01-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with C.R. Case No. 301 of 2017 (T.R. No.-2273 of 2017) registered under Sections 147, 420, 467, 468, 323 and 504 of the Indian Penal Code.

The accusation is that 1 acre 23 decimal land in new Plot No. 2201, under Khata No. 428, acquired by Ali Hassan, father-in-law of complainant Noor Jeha, regarding which,



Jamabandi No. 553 is created and rent is being paid to the State Government and 4 Katha of aforesaid land, without any title, Binod Kumar Jha (petitioner no.1) sold in favour of Shailo Devi showing wrong new Khata No. 379. In the aforesaid sale deed, Rakesh Kumar Das (petitioner no. 2) has put his signature as identifier and Rohit Jha (petitioner no. 3) has also put his signature as witness. When the complainant reached near Shailo Devi to make complaint as to why forged sale deed has got executed then she abused and in the same evening, Binod Kumar Jha (petitioner no. 1), Dahaur Das (petitioner no. 4), Upendra Das @ Bhunni Das (petitioner no. 8) along with Shailo Devi came at the said plot and removed her causing damaged worth Rs.12,000/-. At that time, petitioners along with others also created terror saying that if she wants to retain possession then she will pay Rs.2,00,000/-

Learned counsel for the petitioners submits that it would appear from the complaint petition that the dispute is of civil in nature but with ulterior motive the complainant has filed complaint petition with false allegation. It is further submitted that petitioner has no criminal antecedent.

Learned counsel for the complainant submits that Binod Kumar Jha (petitioner no.1) has executed the land in



favour of Sahilo Devi by forged documents and petitioners have no any document regarding the aforesaid land.

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) each with two sureties of the like amount each to the satisfaction of the A.C.J.M.-IV, Darbhanga, in connection with C.R. No. 301 of 2017 (T.R. No.-2273 of 2017), subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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