

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65105 of 2019

Arising Out of PS. Case No.-323 Year-2015 Thana- JAMUI District- Jamui

1. Rajendra Pandey, aged about 57 years, male, Son of Late Nageshwar Pandey, Resident of Village-Dundo Narmada, Police Station-Jamui, District-Jamui.
2. Yogendra Pandey, aged about 55 years, male, Son of Late Nageshwar Pandey Resident of Village-Dundo Narmada, Police Station-Jamui, District-Jamui.
3. Mahendra Pandey, aged about 42 years, male, Son of Late Nageshwar Pandey, Resident of Village-Dundo Narmada, Police Station-Jamui, District-Jamui.
4. Sanjay Pandey @ Sanjay Kumar Pandey aged about 30 years, male, Son of Rajendra Pandey Resident of Village-Dundo Narmada, Police Station-Jamui, District-Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Adv.
For the Opposite Party/s : Mr. Ajit Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 24-10-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Jamui P.S. Case No. 323/2015 (arising out of Complaint Case No. 1716 (C) /2014) registered under sections 120 (B), 420, 467, 323, 504 of the IPC.

The allegation against the petitioners is that the petitioners executed a sale deed in favour of one Karma Devi on 03.09.2014 for a piece of land belonging to the complainant on



which the complainant was in possession for the last 65 years and jamabandi was created in the name of complainant's father.

Learned counsel appearing for the petitioners submits that petitioners have falsely been implicated in this case inasmuch as both the parties are co-sharers and agnates and the land in question belongs to the side of the petitioners. Learned counsel further submits that the complainant had lodged a case before learned DCLR, Jamui and who directed the complainant to move before the competent Court of civil jurisdiction challenging the sale deed. Learned counsel further submits that after investigation police submitted a final form not sending the petitioners for trial however, learned Magistrate differed with the police report and has taken cognizance against the petitioners.

Having regard to the submissions made by the parties and taking into consideration the facts that both the parties are agnates and co-sharers and there appears to be land dispute between them and after investigation police has submitted final form not sending the petitioners for trial, I am inclined to grant anticipatory bail to all the petitioners.

Accordingly, the petitioners, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/-



(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- Ist Class, Jamui in connection with Jamui P.S. Case No. 323/2015 (arising out of Complaint Case No. 1716 (C)/2014), subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

Anjula/-

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