

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67225 of 2019

Arising Out of PS. Case No.-197 Year-2019 Thana- TAJPUR District- Samastipur

1. CHANDRADEEP ROY @ CHANDRADEEP RAY Son of Late Yugeshwar Ray @ Late Jugeshwar Roy Resident of Village - Bajitpur Karnail, P.S. - Tajpur, O.P. - Halai, District - Samastipur
2. Jagdeep Roy @ Jagdeep Ray @ Jagdip Ray Son of Late Yugeshwar Ray @ Late Jugeshwar Roy Resident of Village - Bajitpur Karnail, P.S. - Tajpur, O.P. - Halai, District - Samastipur
3. Raj Narayan Roy @ Raj Narayan Ram @ Raj Narayan Rai Son of Late Baleshwar Ray @ Baleshwar Roy Resident of Village - Bajitpur Karnail, P.S. - Tajpur, O.P. - Halai, District - Samastipur
4. Ram Suresh Roy @ Ram Suresh Rai Son of Late Baleshwar Roy @ Late Baleshwar Ray Resident of Village - Bajitpur Karnail, P.S. - Tajpur, O.P. - Halai, District - Samastipur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Mahesh Ray Son of Late Jamun Ray Resident of Village - Bajitpur Karnail, P.S. - Tajpur, O.P. - Halai, District - Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-11-2019 Heard both sides.

The petitioners apprehend their arrest in Tajpur P.S. (Halai O.P.) case No. 197 of 2019 registered under Section 120(B), 323, 342, 379, 420, 467, 468, 471, 504, 506 of the IPC.

The complainant/ informant, in sum and substance, alleged that all the accused persons illegally and fraudulently sold the disputed land gifted to the father of the complainant by maternal grand father of the complainant.

The learned counsel for the petitioners submits that in fact grand father of petitioner No.1, Chandradeep Roy,



purchased the disputed land in the year 1946 and thereafter Chandradeep Roy executed two sale deeds one for three dhurs and other for one dhur of the land. A proceeding u/s 107 of the Cr. P. C. was initiated by non FIR case No. 54 of 2018 and thereafter the present case was filed.

Considering the facts aforesaid and nature of allegation made against the petitioners and the fact the dispute is of civil nature as the petitioner No.1 claimed to have ownership of the property by virtue of sale deed executed in favour of grand father of petitioner No.1, 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 Additional Chief Judicial Magistrate-I, Samastipur in connection with Tajpur P.S. (Halai O.P.) case No. 197 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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