

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71022 of 2019

Arising Out of PS. Case No.-259 Year-2019 Thana- GOPALPUR District- Bhagalpur

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1. HEM LATA DEVI Wife of Late Suman Choudhary Resident of Village- Gosaigaon, P.S.- Gopalpur, District- Bhagalpur, presently residing at Rohini Sector- 7, North West, Delhi- 110085.
 2. Kaushal Kashyap Son of Late Suman Choudhary Resident of Village- Gosaigaon, P.S.- Gopalpur, District- Bhagalpur, presently residing at Rohini Sector- 7, North West, Delhi- 110085.
 3. Shalini Kashyap Wife of Kaushal Kashyap Resident of Village- Gosaigaon, P.S.- Gopalpur, District- Bhagalpur, presently residing at Rohini Sector- 7, North West, Delhi- 110085.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Urmila Devi Wife of Late Satya Dev Choudhary Resident of Village- Gosai Gaon, P.S.- Gopalpur, District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-11-2019 Petitioners seek bail in anticipation of their arrest in connection with Gopalpur P.S. Case No. 259 of 2019 registered for the offences punishable under Sections 419, 420, 467, 468, 471 and 506/34 of the Indian Penal Code.

As per FIR petitioner No.1 happens to be daughter-in-law, petitioner No.2 is son of petitioner No.1 and petitioner No.3 is daughter-in-law of petitioner No.1 and allegation against them is that they have sold land of the informant though rent receipts are being issued in favour of informant.



Submission of learned counsel for the petitioners is that partition took place in the family and after that all the parties started selling the lands and as such petitioners have also sold the land after partition. Further submission is that no suit is filed for cancellation of sale deed executed by the petitioners and matter is in nature of civil dispute.

Heard learned APP and learned counsel for the informant, who has opposed the prayer on the ground that partition does not show that the land belongs to the petitioners, rather the land which they have sold is in the share of informant which has come during investigation.

In view of above facts and circumstances, let petitioners surrender within a period of three weeks from the receipt of this order and on surrender they shall be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, Naugachia, District Bhagalpur, in connection with Gopalpur P.S. Case No. 259 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of



the court concerned and further condition that petitioners have to co-operate in the investigation and if charge sheet is submitted, they will co-operate in the trial and also appear in court as and when required.

(Vinod Kumar Sinha, J)

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