

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 73547 of 2019

Arising Out of PS. Case No.-225 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

1. RAMESH KUMAR PRASAD @ RAMESH PRASAD, aged about 40 years, (Male), Son of Laxaman Prasad,
2. Uma Shankar Prasad @ Munnalal, aged about 46 years (Male), Son of Shatrughan Prasad
Both Residents of Village-Dighwa Uttar Tola, P.S-Baikunthpur, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma, Adv.
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-11-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 420, 467, 468, 471 and 34 of the Indian Penal Code.

Prosecution case in brief is that on the alleged date and time of occurrence, petitioner no.1 in collusion with other accused persons got executed a forged and fabricated sale-deed in his favour with respect to the land of Khata No. 359, Plot No. 5964 from the accused Subhadra Kuwar and on that basis, they want to oust the informant from the land in question forcibly.

Learned counsel for the petitioners submits that



accused Subhadra Kuwar is the rightful owner of the land bearing Khata no. 359, Plot No. 5964 and she has executed a registered sale-deed in favour of petitioner no. 1 on 13.08.2018 upon which the petitioner no.2 is a witness and he is coming in peaceful possession over the land in question having residential house. Informant has no concern with the disputed land because the same was under the share of accused Subhadra Kuwar and there is civil dispute. The petitioners have no criminal history.

In the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Gopalganj, in connection with Baikunthpur P.S. Case No. 225 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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