

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2098 of 2020

Arising Out of PS. Case No.-2081 Year-2018 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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1. SINDHU DEVI Wife of Shambhu Sah Resident of Village - Gopalpur Chandwara, P.S. Aurai, District- Muzaffarpur.
 2. Shambhu Sah Son of Hakim Sah @ Mahendra Sah Resident of Village - Gopalpur Chandwara, P.S. Aurai, District- Muzaffarpur.

... .. Petitioners

Versus

1. THE STATE OF BIHAR
2. Sakaldeo Sah Son of Late Ram Chandra Sah Resident of Village - Gopalpur Chandwara, P.S. Aurai, District- Muzaffarpur.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur
For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Complaint Case No.2081 of 2018, Trial No.1947 of 2019, registered for the offence punishable under sections 467, 468, 471, 472, 420, 120B and 34 of the Indian Penal Code.

As per allegation in the Complaint, the Complainant and the accused persons belong to the same family. It is stated that the accused no.1 in the Complaint namely Hakim Sah executed a registered sale deed on 31.05.2017 in favour of his



daughter-in-law i.e. the petitioner no.1 herein and on the basis of the same, on 16.04.2018 the accused persons made an attempt to dispossess the Complainant from the said property. It is stated by the Complainant that it was then that he came to know about the conspiracy and he went to the office of the Registrar and got a true certified copy of the said sale deed.

It is submitted by learned counsel for the petitioners that the petitioner no.2 happens to be the son of the aforesaid Hakim Sah and petitioner no.1 happens to be the wife of petitioner no.2 i.e. his daughter-in-law. The allegation on the face of the Complaint is one of purely a property/civil dispute between the members of the larger family. Further the petitioners have no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of six weeks from today and in the event of their arrest or surrender in connection with Complaint Case No.2081 of 2018, Trial No.1947 of 2019, they will be enlarged on bail on



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-15th-cum-A.C.J.M., Muzaffarpur, subject to the condition as laid down under section 438(2) of the Criminal Procedure Code.

(Partha Sarthy, J.)

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