

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12815 of 2020

Arising Out of PS. Case No.-81 Year-2019 Thana- KAJRAILICHAK District- Bhagalpur

1. Bibhishan Tanti, S/o Naresh Tanti Resident of Village- Daradhi, P.S.- Kajraili, Distt- Bhagalpur.
2. Amit Kumar Sah S/o Mohan Sah Resident of Village- Daradhi, P.S.- Kajraili, Distt- Bhagalpur
3. Malti Devi W/o Mohan Sah Resident of Village- Daradhi, P.S.- Kajraili, Distt- Bhagalpur
4. Shrawan Kumar Yadav S/o Ashok Yadav Resident of Village- Simriya, P.S.- Kajraili, Distt- Bhagalpur
5. Chitranjan Yadav S/o Sarbhi Yadav Resident of Naya Tola Kairaila Bairiya, P.S.- Madhusudanpur (Nathnagar), Distt- Bhagalpur.
6. Sapna Devi W/o Chitranjan Yadav Resident of Naya Tola Kairaila Bairiya, P.S.- Madhusudanpur (Nathnagar), Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha
For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 02-07-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Kajraili P.S. Case no. 81 of 2019, registered under Sections 406, 420, 467, 468 and 506/34 of the Indian Penal Code.

The accusation is that Mohan Sah showing his father's name Wakil Sah sold six decimals of land of Plot No. 134 and 136 in favour of Sapna Devi (petitioner No.6) wife of



Chitranjan Yadav (Petitioner No.5) and he also sold 3.5 decimals of land of Plot No. 129 in favour of Malti Devi (Petitioner No.3), which is belonging to Kali Sah, grandfather of informant, Pawan Kumar Sah on which petitioner No.1 Bibhishan Tanti put his signature as witness and petitioner 4 Shrawan Kumar Yadav put his signature as identifier.

Learned counsel for the petitioners submits that Malti Devi and Sapna Devi (Petitioner Nos.3 and 6) are bona fide purchaser of land as detailed in the F.I.R. from Mohan Sah, son of Wakil Sah, who is the son of Ghughli Sah, brother of Kali Sah, grandfather of the informant, but with ulterior motive, the informant lodged the present case, while he has also filed Title Suit No. 399 of 2019 in the Court of Sub-Judge-I, Bhagalpur, against Mohan Sah, Amit Kumar, Malti Devi and Sapna Devi (petitioner Nos. 2, 3 and 6), which is pending for disposal challenging the sale deeds. Further submission is that petitioner No.2 is none, but the son of petitioner No.3.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail



bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-XIV, Bhagalpur in connection with Kajraili P.S. Case No. 81 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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