

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29155 of 2020

Arising Out of PS. Case No.-570 Year-2019 Thana- SUGAULI District- East Champaran

1. Prabhu Singh aged about 58 years Son Of Late Durga Singh Resident of Village - Bhelanari, P.S.- Govindganj, District - East Champaran.
2. Binod Yadav aged about 52 years Son of Indrajeet Yadav Resident of Village - Bhelanari, P.S.- Govindganj, District - East Champaran.
3. Ashok Yadav aged about 48 years Son of Vishwanath Yadav Resident of Village - Bhelanari, P.S.- Govindganj, District - East Champaran.
4. Nagendra Yadav aged about 43 years Son of Sampat Rai Resident of Village - Bhelanari, P.S.- Govindganj, District - East Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Umesh Chandra Verma, Advocate
For the State	:	Mr. Addl Public Prosecutor
for the informant	:	Mr. Dhruvendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-12-2020 Heard learned counsel for the petitioners, the informant as well as learned Additional Public Prosecutor for the State through Video conferencing.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 420 and other allied sections of the Indian Penal Code.

Prosecution's case in short is that petitioner no.1, without any right, title and possession sold informant's 5 katha land to petitioner no.2, 3 katha land to petitioner no.3 and 5 katha land to petitioner no.4. It is further alleged that when the informant went to see his maize crops, all the accused persons abused and assaulted him.

Learned counsel appearing for the petitioners submits that the petitioner no.1 has in fact sold his own share of land. Title Suit No.130 of 2014 is pending before the court of Sub judge 9, Motihari and the dispute is of civil nature. Petitioners has got no criminal antecedent as stated in paragraph 3 of the



bail petition.

Learned counsel for the informant as well as the State oppose the prayer for bail and submit that the petitioner no.1 has no right, title and possession over the land in question, still he has sold the same to other petitioners.

Considering the facts of the case, in the event of arrest/surrender, let all the four petitioners, named above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari in West Champaran in Sugauli Police Station Case No. 570 of 2019, subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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