

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80524 of 2019

Arising Out of PS. Case No.-154 Year-2019 Thana- DUMARIAGHAT District- East
Champaran

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1. AJAY PATEL @ UDAY RAUT, aged about 30 years, Male, Son of Late Raghuvar Raut, Resident of Village- Dumariya, P.S.- Dumariyaghat, District- East Champaran
 2. Santosh Patel, aged about 28 years, Male, Son of Late Raghuvar Raut Resident of Village- Dumariya, P.S.- Dumariyaghat, District- East Champaran
 3. Chandeshwar Patel, aged about 25 years, Male, Son of Late Raghuvar Raut, Resident of Village- Dumariya, P.S.- Dumariyaghat, District- East Champaran
 4. Baleshwar Patel, aged about 22 years, Male, Son of Late Raghuvar Raut, Resident of Village- Dumariya, P.S.- Dumariyaghat, District- East Champaran
... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : M/s Abhished Kumar & Rashmi Jha, Advs.
For the Opposite Party : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 08-01-2020 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with
Dumariyaghat P.S. Case No. 154 of 2019, registered under
Sections 323, 420, 467, 468, 471, 120B and 34 of the Indian
Penal Code.

The accusation is that after the death of Surendra
Singh, husband of the complainant/informant, Kiran Devi, the
ancestral land was partitioned between her, her brother-in-law
and father-in-law and according to the partition she came in



possession over the land allocated in her share. On 23.05.2019, in the evening, over plot no. 613 of khata no. 31, area 1 katha 10 decimals of land, Savita Devi and the petitioner were present for filling the soil on the low land, then, complainant/informant, Kiran Devi, and her son, Abhishek Kumar Singh, made protest on which they replied that the said land has been sold to Savita Devi by Awadh Kishore Singh (father-in-law of the complainant/informant). At that time, the persons present were also started to create nuisance there. Thereafter, complainant/informant obtained the certified copy of the sale deed, then, came to know that her father-in-law, Awadh Kishore Singh, has sold the land of 1½ katha of plot no. 613, which was allotted in her share.

Submission is that petitioners are the sons of Savi Devi, purchaser of the land, and they have falsely been implicated in this case only to put undue pressure.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Dumariyaghat P.S. Case No. 154 of 2019 shall be released on 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 Chief Judicial Magistrate, East Champaran at Motihari, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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