

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8480 of 2021

Arising Out of PS. Case No.-458 Year-2019 Thana- MAJHAULIA District- West Champaran

1. ADITYA BHATT s/o Late Tejnarain Sharma VILLAGE- Shikarpur, police station- Manjhaulia, District- West Champaran
2. Sunaina Devi @ Brimati Sunaina Devi w/o- Sringidhar Sharma VILLAGE- Shikarpur, police station- Manjhaulia, District- West Champaran
3. Tanu Kumari @ Tanu Sharma d/o- Brijraj Sharma VILLAGE- ARERAJ, SHARMA TOLA, POLICE STATION - MAJHAULIA DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bashishtha Narayan Mishra

For the Opposite Party/s : Mr. Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 08-10-2021 By orders dated 24.09.2021 and 04.10.2021,

this matter was directed to be listed for out of turn hearing

because the application initially had been filed on

01.09.2020 through E-filing but the same became traceless.

Another petition was filed on 14.12.2020 but since then, the

matter had not been taken up even once.

Heard Mr. Bashishtha Narayan Mishra, the learned

counsel for the petitioners and Mr. Ganesh Prasad Singh, the

learned APP for the State.

The petitioners seek bail in anticipation of their



arrest in connection with Majhaulia P.S. Case No. 458 of 2019 instituted for the offences under Sections 467, 468, 471, 420, 406/34 of the Indian Penal Code.

The accusation in the F.I.R. is that two of the sons of the late sister of the husband of the informant and her grand daughter had conveyed a property belonging to her to petitioner nos. 1 and 2.

It has been submitted on behalf of the petitioners that the vendee acquired the property against the valid sale deed after paying the entire consideration amount. So far as the petitioner no. 3 is concerned, she is the vendor who claims the property so sold to be hers. If there is any dispute with respect to ownership of the property, this can be settled amongst the rival claimants of the property but that would primarily fall in the civil domain.

Considering this aspect of the matter some of the other accused persons have been granted anticipatory bail by this Court by order dated 08.02.2021 passed in Cr. Misc. No. 32321 of 2020.

Regard being had to the afore-stated facts, the



petitioners, above named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Majhaulia P.S. Case No. 458 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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