

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18234 of 2021

Arising Out of PS. Case No.-781 Year-2017 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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1. Janardan Pal, aged about 55 years, male, S/o Late Chhatu Bhagat.
 2. Raj Munna Kunwar, aged about 65 years, female, W/o Late Chhatu Bhagat.
- Both are residents of Village- Karari, P.S.- Ara Muffasil (Dhobha O.P.),
District- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Manoj Kumar, S/o Late Nathuni Bhagat, R/o Village- Dhamani, P.O.-
Garhani, P.S.- Agion Bazar (G), Distt.- Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravindra Kumar, Adv.
For the O.P. No. 2	:	Mr. Sheo Jee Mishra, Adv.
For the State	:	Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 11-03-2022 Heard Mr. Ravindra Kumar, the learned Advocate

for the petitioners and Mr. Sheo Jee Mishra, the learned

counsel for the complainant/opposite party No. 2.

The State is represented by the learned APP.

The petitioners seek bail in anticipation of their



arrest in connection with Complaint Case No. 781/C of 2017, dated 01.06.2017, in which cognizance has been taken against them under Sections 420, 467 and 468 of the Indian Penal Code.

The petitioner No. 2 along with another is said to have sold the property belonging to the complainant/opposite party No. 2 in which the petitioner No. 1 is said to be a witness.

Mr. Ravindra Kumar, the learned counsel for the petitioners has submitted that there is a rival claim over the property and the petitioner No. 2 is from the same stock of the family as that of the complainant/opposite party No. 2.

A Title Partition Suit has been filed by the petitioners, which, according to the counsel for the complainant/opposite party No. 2, has already been disposed off. It has also been submitted that a Suit for cancellation of the sale-deed has also been filed by the complainant/opposite party No. 2.

It appears that there was some dispute between the parties with respect to apportionment of share in the



family property. Even otherwise, the case borders on civil dispute.

According to the counsel for the petitioners, deliberately a criminal colour has been given to a civil dispute between the parties.

Regard being had to the afore-noted submissions, the petitioners, in the event of their arrest or surrender before the learned Court below within a period of four weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Bhojpur at Ara in connection with Complaint Case No. 781/C of 2017, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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