

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19710 of 2021

Arising Out of PS. Case No.-486 Year-2019 Thana- BIKRAMGANJ District- Rohtas

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1. Harigovind Mishra, male, aged about 60 years, S/o Late Ramadhar Mishra,
R/o village- Durgadih, P.S.- Bikramganj, District- Rohtas.
 2. Bachmuni Devi, female, aged about 75 years, W/o Kanhaiya Dubey.
 3. Chandeshwar Dubey, male, aged about 40 years, S/o Bishwanath Dubey.
 4. Shashi Dubey, male, aged about 38 years, S/o Kanhaiya Dubey.
- All are R/o village- Kandsar, P.S.- Nawanagar, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
For the Informant	:	Mr. Ashutosh Tripathy, Advocate
For the State	:	Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

5 01-04-2022 Heard Mr. N.K. Agrawal, the learned Senior

Advocate for the petitioners and Mr. Ashutosh Tripathy, the

learned counsel for the informant.

The State is represented by Mr. Raj Kishor Singh,

the learned APP.

The petitioners seek bail in anticipation of their



arrest in connection with Bikramganj P.S. Case No. 486 of 2019, dated 21.10.2019, instituted for the offences under Sections 467, 468 and 420 of the Indian Penal Code.

The accusation against the petitioners is of having made attempts at and actually disposing off the property which does not belong to them. The accusation also is with respect to petitioner No. 2 being shown as daughter of somebody, which she is not.

It has been submitted on behalf of the petitioners that the accusation, on face of it, discloses a civil dispute between the parties. It has further been submitted that the petitioner No. 2 is a 75 years old person and the transaction which was being made or which has been made is on valid right and title on the subject property.

A Title Suit also has been filed by the petitioner No. 2 against the informant and others, which is pending adjudication before a competent Court of law.

Considering this aspect of the matter, 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 Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas in connection with Bikramganj P.S. Case No. 486 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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