

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44451 of 2022

Arising Out of PS. Case No.-198 Year-2022 Thana- KUDHNI District- Muzaffarpur

1. Chandra Mohan Pandey S/O Late Yogendra Pandey Resident Of Village-Dariyapur Kafan, P.S.- Kudhani (Turki O.P), District- Muzaffarpur.
2. Parvati Pandey W/O Chandra Mohan Pandey Resident Of Village-Dariyapur Kafan, P.S.- Kudhani (Turki O.P), District- Muzaffarpur.
3. Krishna Mohan Pandey S/O Late Yogendra Pandey Permanent Resident Of Village- Dariyapur Kafan, P.S. Kudhani (Turki O.P) District- Muzaffarpur At Present Residing At Hose No.- 6d, Gardanibagh, Sadhnapuri, P.S.- Phulwarisarif, District- Patna
4. Bharti Pandey W/O Krishna Mohan Pandey Permanent Resident Of Village-Dariyapur Kafan, P.S. Kudhani (Turki O.P) District- Muzaffarpur At Present Residing At Hose No.- 6d, Gardanibagh, Sadhnapuri, P.S.- Phulwarisarif, District- Patna

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. PK Shahi, Sr. Advovate and Mr.Shashi Bhushan Singh, Advocate
For the Opposite Party	:	Mr.Ram Naresh Ray, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-12-2022 Petition for pre-arrest bail of petitioner no. 1 is
dismissed as withdrawn.

Heard learned counsel for the petitioners no. 2, 3 and
4 and the State.

Petitioners apprehend their arrest in a case registered
for the offence punishable under Sections 420/34 and other
allied sections of the Indian Penal Code.

Prosecution's case in short is that petitioners no.1 and
3 executed sale deed with regard to the land of the informant in



favour of petitioners no.2 and 4.

Learned counsel appearing for the petitioners submits that the parties are co-sharers and as there is no family partition of joint family property, all the family members are claiming right and title over the land in question. Dispute is of purely civil nature for which petitioner no.1 has filed Partition Suit No. 213/2022. Petitioners have got no criminal antecedent.

Considering the nature of allegation against the petitioners no.2, 3 and 4, in the event of arrest/surrender within six weeks from today, let the 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 Additional Chief Judicial Magistrate I, Muzaffarpur in Kudhani Police Station Case No. 198 of 2022, subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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