

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10527 of 2021

Arising Out of PS. Case No.-237 Year-2020 Thana- SUGAULI District- East Champaran

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AMARENDRA KUMAR SRIVASTAVA, SON OF JAGARNATH PRASAD
VILLAGE- KHODA, P.S. SUGAULI, DISTRICT- EAST CHAMPARAN. AT
PRESENT ADDRESS R/O VILLAGE- GOPALPUR, P.S.- MOTIHARI
TOWN, DISTRICT- E. CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-02-2022 Heard Mr. Dhananjay Kumar No. 2, learned

advocate for the petitioner and Mr. Dhurendra Kumar,

learned counsel for the informant. The State is represented

by Mr. Aditya Narayan Singh-1, learned APP.

The petitioner seeks bail in anticipation of his

arrest in connection with Sugauli P. S. Case No. 237 of

2020, instituted for the offences under Sections 420, 467,

468 and 34 of the Indian Penal Code.

The petitioner and another is alleged to have sold

the land belonging to the informant and his two sisters.

The learned advocate for the petitioner has

submitted that the land which is alleged to have been sold by



him and another is the Khatiyani land of his grandfather. The informant is the own aunt of the petitioner. There is a family dispute between the parties and both sides are staking their claim over the ancestral property.

No offence, it has been urged, can at all be said to have been made out from the facts of this case.

As opposed to the aforesaid contention, Mr. Dhurendra Kumar, learned counsel for the informant has submitted that the entire land in question has been sold by the petitioner and another.

However, looking at the dispute between the family with respect to their respective shares in the ancestral property, the petitioner, above-named, is directed to be released on bail, in the event of his 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 his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Sugauli P. S. Case No.



237 of 2020, subject to the conditions as laid down under
Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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