

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11444 of 2023

Arising Out of PS. Case No.-174 Year-2022 Thana- TARIYANI CHAPRA PS District-Sheohar

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1. Dharm Prakash Singh @ Tripurari Singh, Son of Late Krishna Singh, Resident of Village- Chatauni, P.S.- Taryani, District-Sheohar
 2. Rajesh Kumar Singh, Son of Dharm Prakash Singh, Resident of Village- Chatauni, P.S.- Taryani, District-Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-04-2023 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 406 of the Indian Penal Code.

It is alleged that petitioner has supplied wrong Khasra Number in the sale deed which was executed in the year 2008. It is further alleged that a panchayati took place and it was found that prior to execution of sale deed dated 14.07.2008, accused petitioner No. 1 had sold the land to one Radha Devi, wife of Siya Sahni on 12.06.2007. On 29.03.2022, the accused persons also abused the complainant.

Learned counsel appearing for the petitioners submits that admittedly, petitioner No. 1 had executed Kewala dated



21.08.2006 in favour of wife of the complainant and has also given possession of the same to her and there was no complaint against the said kewala. Subsequently, petitioner No. 1 executed document on 14.07.2008 with respect to the extra land and gave its possession to the complainant as well. As such, there is no question of cheating by the petitioners. Dispute is of civil nature and there is no explanation as to why the complainant kept mum for more than ten years. Petitioners have got clean antecedent.

Considering the aforesaid facts and circumstances, let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged 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 Chief Judicial Magistrate, Sheohar in connection with Tariyani P. S. Case No. 174 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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