

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28171 of 2023

Arising Out of PS. Case No.-1513 Year-2014 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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1. Hiralal Sahani Son Of Kariman Chaudhary @ Kariman Sahani Resident Of Village Paroraha Police Station Sathi District West Champaran
 2. Gopichand Sahani Son of Late Sudharshan Sahani Resident of Village Paroraha, PS Sathi, Distt West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lal Bahadur Sahani Son of Late Gyani Mahto, Resident of Village Paroraha, PS Sathi, Distt West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 457, 458, 380, 323, 436, 467, 120(B) of the Indian Penal Code.

3. It is alleged that petitioner no. 1 Hiralal Sahani alongwith other co-accused persons got executed sale-deed on 01.07.2014, vide registered sale-deed no. 11923, by introducing vendor of the sale-deed, as daughter of the uncle of the complainant, in which, petitioner no. 2 Gopichand Sahani was witness. It is further alleged that the accused persons on the



strength of so-called sale-deed dispossessed the complainant from the said land and thereafter, petitioner no. 2 is alleged to have poured kerosene oil on the house of complainant and co-accused Kariman Sahani lit fire, however; with the intervention of the villagers, the house of the complainant could be saved.

4. It is submitted on behalf of petitioners that in order to grab the disputed land, this false and concocted case has been lodged against these petitioners. No such occurrence, as alleged in the complaint petition, ever took place. Petitioner no. 1 is vendee and petitioner no. 2 is witness of the sale-deed. As a matter of fact, the dispute is of civil nature, however; colour of criminal offence has been given. Petitioners have got clean antecedent.

5. Learned A.P.P. has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bettiah, District – West Champaran in connection with Complaint Case No. 1513(C) of 2014, subject to condition as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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