

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3622 of 2023

Arising Out of PS. Case No.-1534 Year-2015 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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1. RAMUNA DEVI Wife of Sri Laljee Singh Mourya Permanent R/v- Mobarakpur, P.S.- Mohania, District- Kaimur (Bhabua), At present Village- Takiya, P.O.- Dharampur, P.S.- Ramgaon, District- Bahraich, Uttar Pradesh (U.P.)
 2. LALJEE SINGH MOURYA @ LALJEE SINGH Son of Late Ram Swaroop Sing Maurya Permanent R/v- Mobarakpur, P.S.- Mohania, District- Kaimur (Bhabua), At present Village- Takiya, P.O.- Dharampur, P.S.- Ramgaon, District- Bahraich, Uttar Pradesh (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. SMT. DULARI DEVI Wife of Sri Shiv Parsan Singh R/v- Bichiya, P.S.- Durgawati, District- Kaimur (Bhabua)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogendra Kumar, Adv.
For the Opposite Party/s : Mr.Md. Matloob Rab, APP
Mr.Shyam Bihari Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-03-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 420/34 of the IPC.

As per the prosecution case, the petitioners executed Deed No.3657 for a land in favour of the complainant after taking consideration money of Rs.2,50,000/- but later on she learnt that the said land belongs to one Siyaram Singh through Hibbanama by his grandfather.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence.



They have been falsely implicated in this case due to land dispute. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that if there was any Hibbanama in favour of Siyaram Singh, he should have filed Probate case after death of his grand-father. It is submitted that it is a purely civil dispute between the complainant and the vendors. Petitioners have no criminal antecedent.

Learned APP for the State as well as learned counsel for the complainant opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is a civil dispute between the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with (Bhabua) Complaint Case No.1534 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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