

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17402 of 2024

Arising Out of PS. Case No.-330 Year-2013 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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1. Jayamala Devi Wife Of Kamaleshwari Mahto Resident Of Village - Bhagwanchack, Police Station - Khagaria (Gangour), District - Khagaria
 2. Tribeni Mahto @ Tiro Mahto @ Triveni Kumar Mahto Son Of Kamleshwari Mahto Resident Of Village - Bhagwanchack, Police Station - Khagaria (Gangour), District - Khagaria
 3. Rani Devi Wife Of Tribeni Mahto @ Tiro Mahto @ Triveni Kumar Mahto Resident Of Village - Bhagwanchack, Police Station - Khagaria (Gangour), District - Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Maheshwari Devi Wife Of Bhola Mahto Resident Of Village - Bhagwanchack, Police Station - Khagaria (Gangour), District - Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Parmatma Singh, Advocate
For the Opposite Party/s :	Mr. Bharat Lal, A.P.P.
	Mr. Mukesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 25-06-2024 Heard learned counsel for the parties.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 420 and 468 of the Indian Penal Code.

3. As per the complaint case, it is alleged that all the accused persons including these petitioners fraudulently got executed land of the complainant in their favour.

4. Learned counsel for the petitioners submits that the sale deed was executed on 10.10.1977 whereas the complaint case has been filed on 23.03.2013, after a very long period of time without any reasonable explanation. Petitioner Nos. 1 and



3 are rustic ladies and petitioner No. 2 is a disabled person. It is next submitted that the land in question is ancestral property and Banarashi Mahto is father-in-law of petitioner No. 1 who gave 1 Bigha 7 Katha 10 Dhur land of Mauza Bhagwanchack to his daughter-in-law Jaymala Devi and grandson Anil Mahto and Pappu Mahto through registered sale deed on 10.10.1977. It is further submitted that at best, it is a civil dispute and no criminal offence is made out. Petitioners claim clean antecedent.

5. Learned counsel for the O.P. No. 2 vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that 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 Judicial Magistrate, 1st Class, Khagaria in connection with Complaint Case No. 330C of 2013, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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