

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29179 of 2024

Arising Out of PS. Case No.-590 Year-2021 Thana- BUXAR COMPLAINT CASE District-
Buxar

-
1. Dharamdeo Singh, male, aged about 64 years, son of Late Bihari Singh, R/o Village- Parmanapur, P.S.- Rajpur, Dist- Buxar,
 2. Arun Yadav @ Chhotu Yadav, male, aged about 28 years, son of Dharamdeo Singh, R/o Village- Parmanapur, P.S.- Rajpur, Dist- Buxar,
 3. Nandji Yadav, male, aged about 22 years, son of Surendra Singh, R/o Village- Parmanapur, P.S.- Rajpur, Dist- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kanhaiya Lal Chauhan, S/o- Late Gorakhnath Singh, R/o Village- Maharajganj (Tola Hankarpur), P.O.- Kajariya, P.S.- Rajpur, Dist- Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binod Bihari Sinha, Advocate Mr. Amarjeet Choudhary, Advocate Mr. Ajay Dutta Mishra, Advocate
For the Opposite Party/s :		Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Complaint Case No.590 of 2021 dated 13.08.2021, instituted
under Sections 120-B, 323/34, 308/34 and 420/34 of the Indian
Penal Code.

3. The allegation against the petitioners is that the
land which was in the name of grandmother of the complainant
was purchased fraudulently by the petitioner no. 1 for which a



title suit being Title Suit No.40 of 2013 is going on between the parties. On 14.07.2021, co-accused Virendra Sahani and others came to the house of the complainant along with the police force and enquired about the complainant. When they got information that the complainant is not in the house, they used abusive language against the women and children and misbehaved with the wife of the complainant. Thereafter, on 17.07.2021, they forcibly cultivated the land of the complainant and also assaulted. They also took away valuable ornaments and cash from the house.

4. Learned counsel for the petitioners submits that there is civil dispute between the parties. The brother of the complainant has filed Title Suit No.40 of 2013 for declaring gift deed dated 05.07.1984 executed by Shivpujan Singh, Gorakhnath Singh and Laxmi Prasad Singh in favour of Sabzi Devi as well as sale deed dated 28.08.2000 executed by Sabzi Devi in favour of Dharamdeo Singh (petitioner no.1) through three sale deeds as forged, fabricated and illegal, which is pending in the Court of Sub Judge, 2nd, Buxar. It is further submitted that the allegation against the petitioners are that they assaulted the complainant and his family members. There is no specific allegation against the petitioners. The said land was



purchased by the petitioner no. 1 and they are in possession of the suit land. Lastly, it is submitted that the petitioners have no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar, in Complaint Case No.590 of 2021, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

U		T	
---	--	---	--

