

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45966 of 2024

Arising Out of PS. Case No.-60 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

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1. Ram Bahadur Ray Son Of Late Ram Prasad Ray Village- Pachrukha Tola Khairi Ps- Banjariya, Dist- East Champaran
 2. Sita Ram Ray Son Of Late Ram Prasad Ray Village- Pachrukha Tola Khairi Ps- Banjariya, Dist- East Champaran
 3. Santosh Ray Son Of Ram Bahadur Ray Village- Pachrukha Tola Khairi Ps- Banjariya, Dist- East Champaran
 4. Nawal Ray Son Of Ram Bahadur Ray Village- Pachrukha Tola Khairi Ps- Banjariya, Dist- East Champaran
 5. Daud Azam Son Of Abdul Aziz Village- Turkauliya, Ps- Turkauliya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Mishra, Advocate
For the Opposite Party/s : Mrs. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-09-2024 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 406, 420, 302, 201 and 120B of the Indian Penal Code.

3. The prosecution case, in brief, is that informant's full brother Shankar Yadav had one son namely Ram Bharosh Yadav and after death of informant's full brother and Bhabhi, informant started looking after his nephew. It is alleged that these petitioners, under a conspiracy, got registered sale-deed by



informant's nephew Ram Bharosh Yadav with respect to his 12.30 decimals of land without consent of informant, because Ram Bhorosh Yadav was a boy of dull mind and thereafter, informant's nephew did not return to his house. After lapse of six years, the informant started searching his nephew and came to know that these petitioners, after registration of sale-deed, disappeared his nephew. Informant suspects that these petitioners have committed murder of his nephew after registration of his land.

4. Learned counsel for the petitioners submits that as per F.I.R., it is apparent that only suspicion has been raised against these petitioners. Petitioners and informant are agnates and on inimical terms and due to this reason, this false and concocted case has been lodged. As a matter of fact, after taking consideration money, informant's nephew himself sold the land to these petitioners. Learned counsel further submits that petitioners have purchased the land in question in the year 2017 and after lapse of more than six years, the informant has lodged this false and concocted case. Petitioners claim clean antecedent.

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



6. Considering the delay in lodging the F.I.R. and clean antecedent of petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of eight 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Motihari Town P.S. Case No. 60 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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