

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55585 of 2016

Arising Out of PS.Case No. -1119 Year- 2016 Thana -BEGUSARAI COMPLAINT CASE District-
BEGUSARAI

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1. Surendra Mohan Sinha
2. Jitendra Mohan Sinha
Both sons of Late Raghupati Sahai resident of Village- Phulwaria, P.S.-
Phulwaria, Dist.- Begusarai.
3. Sanjay Kumar, S/o- Dinanath Lal, resident of Village - Shokhara 01,
P.S.- Phulwaria, Dist. Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar
2. Kishore Pd. Singh, S/o Baldeo Singh R/o Vill.- Phulwaria-3, Ward No. 2,
P.S. Phulwaria, Dist. Begusarai.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Kumar Binode Bariar
For the Opposite Party/s : Mr. Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-01-2017 Heard both sides.

The petitioners, namely, Surendra Mohan Sinha, Jitendra Mohan Sinha and Sanjay Kumar apprehend their arrest in Complaint Case No. 1119/2016 filed under Sections 420, 467, 468 and 471 of the Indian Penal Code.

The complainant alleged that his father executed a sale deed in favour of the petitioners but the petitioners made interpolations in the sale deed with regard to the area of the land sold in favour of the petitioners and instead of 5 laghi, it was made 20 laghi. Learned counsel for the petitioners submits that the complainant has admitted that the petitioners purchased five



Kathha of land from the father of the complainant in the year 1984. If any interpolation is made, it makes no difference as the original copy of the sale deed is the primary evidence for execution of sale. The dispute is of civil nature.

On the other hand, learned counsel for the complainant vehemently opposed the prayer for anticipatory bail but it appears that the original copy of the sale deed is with the Sub Registrar. If the petitioner made any interpolation in his own copy, it would not affect the title of the complainant. The dispute on the face appears to be of civil nature.

Considering the facts aforesaid, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to 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 Sri Rahul Kishore, Judicial Magistrate, 1st Class, Begusarai in Complaint Case No. 1119/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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