

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34106 of 2017

Arising Out of PS.Case No. -776 Year- 2016 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

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1. Kiran Singh @ Kiran Bala Singh @ Rinki Singh, wife of Late Rajan Singh, resident of Village- Kumhiya, Police Station- Bagaha, District- West Champaran Petitioner

Versus

1. The State of Bihar
2. Sakshi Singh, wife of Rajesh Kumar Singh, daughter of Late Rudra Pratap Singh, resident of Village- Raghunathpur, Police Station- Khaira, District- Saran (Chapra), at present resident of Village- Bankatwa, Police Station- Bagaha, District- West Champaran Opposite Parties

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Appearance :

For the Petitioner : Mr. Brij Kishor Mishra, Adv.
For the State : Mr. Binod Kumar 3, APP 89
For OP no. 2 : Mr. Krishna Prasad Singh, Sr. Adv. with
Mr. Rakesh Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 23-08-2017 Heard the learned counsel for the petitioner, opposite party no. 2 and the State.

This is a petition for grant of anticipatory bail for offence under Sections 406, 420, 467, 468 and 371/34 of the Indian Penal Code.

According to allegation in the complaint petition, the petitioner had sold through registered sale deed the purchased land of the complainant in favour of co-accused, Radhe Shyam Yadav. The petitioner has filed affidavit stating therein that due to mistake of the deed writer, description of the land of the complainant was given in the sale deed and the petitioner undertakes to put no any claim on the referred land. The sale deed law is well settled that no one can transfer a better title than he himself has. Therefore, even if any one has been cheated in the transaction he is co-accused, Radhe Shyam Yadav and not the complainant.



Considering the fact, let the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each in connection with **Complaint Case No. 776-C of 2016**, Cr.(P)-6641 of 2016 to the satisfaction of the **Additional Chief Judicial Magistrate, Bagaha, West Champaran**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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