

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70893 of 2018

Arising Out of PS. Case No.-34 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Kundan Kumar, aged about 29 years, Son of Sri Mohan Prasad Singh, Resident of Village- Daulatpur Dih, P.S.- Gaurichak, District- Patna.
 2. Shailendra Kumar Singh, aged about 45 years, Son of Late Kishori Prasad Singh, Resident of Village- Daulatpur Dih, P.S.- Gaurichak, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Dilip Kumar Singh, aged about 61 years, Son of Janak Deo Singh, Resident of Village- Daulatpur Dih, P.S.- Gaurichak, District- Patna. Presently residing at Jhumri Tilaiya, Addi Bangla, P.O.- Tilaiya, District- Koderma.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Kumar

For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2018 Heard learned Counsels for the petitioners,
complainant and learned APP for the State.

The petitioners are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 420, 467 and 468 of the Indian Penal Code.



The prosecution case as per the complaint petition is that the complainant's uncle Ram Naresh Singh and Ram Suresh Singh executed a sale deed with regard to the land of the complainant's share in favour of petitioner no. 1, Kundan Kumar and petitioner no. 2, Shailendra Kumar is the witness to the sale deed.

It is submitted by learned counsel for the petitioners that the petitioners are bona fide purchasers and Title Suit No. 8 of 2018 has been filed for the same cause of action which is pending between the parties. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned counsel for the complainant submits that apparently the petitioners have committed forgery and in a sinister design the petitioner no. 1 has tried to grab the land of the complainant.

Considering the accusation arising out of Civil nature of dispute, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on



furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, Patna City, Patna in connection with Complaint Case No. 34 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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