

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.73335 of 2018**

Arising Out of PS. Case No.-385 Year-2018 Thana- GHORASAHAN District- East  
Champaran

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1. Uday Jaiswal, Son of Ajay Prasad Jaiswal, Resident of Village- Shripur Tola Baswariya, P.S.- Ghorasahan, District- East Champaran.
  2. Santosh Kumar, Son of Sonelal Rai, Resident of Village- Barwa Khurd, P.S.- Ghorasahan, District- East Champaran.
  3. Subodh Kumar, Son of Rama Rai, Resident of Village- Bijbani, P.S.- Ghorasahan, District- East Champaran.
  4. Aditya Kumar, Son of Hari Shankar Singh, Resident of Village- Shripur Khas, P.S.- Ghorasahan, District- East Champaran.
  5. Randhir Rai, Son of Dinanath Rai, Resident of Village- Bhasandwa, P.S.- Ghorasahan, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

|                          |   |                        |
|--------------------------|---|------------------------|
| For the Petitioner/s     | : | Mr. Ansul              |
| For the Opposite Party/s | : | Mrs. Renu Kumari       |
| For the Informant        | : | Mr. Pramod Kumar Singh |

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR  
SRIVASTAVA**

ORAL ORDER

2      20-12-2018                      Heard learned counsel for the petitioners as well as  
  
learned Additional Public Prosecutor for the State assisted by  
  
learned counsel appearing for the informant.

Petitioners apprehend their arrest in connection with  
  
Ghorasahan P.S. Case No. 385/2018 registered for the offences  
  
punishable under Sections 467, 468, 471, 420, 387, 504, 506 and  
  
120(B) of the Indian Penal Code.

The informant claims that co-accused Sudhakar  
  
Sharma illegally transferred his land in favour of the petitioners



by executing registered sale deed, though the aforesaid Sudhakar Sharma had lost civil litigation up to this Court.

Learned counsel appearing for petitioners submits that as a matter of fact that there was land dispute between Sudhakar Sharma and the informant and, moreover, the petitioners are purchaser of the land in question for valid consideration and, therefore, no offence is made out against the petitioners.

On the other hand, learned counsel appearing for the informant vehemently opposed the prayer submitting that, admittedly, the petitioners are purchaser of the land of the informant and as a matter of fact, the petitioners in collusion with Sudhakar Sharma got executed forged sale deed in respect of lands of the informant and, therefore, the petitioners do not deserve the privilege of anticipatory bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also keeping in mind that the petitioners are purchaser of the lands in question, this anticipatory bail petition is allowed and it is ordered that above-named petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released 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 Sub Divisional Judicial Magistrate, Motihari at East Champaran in Ghorasahan P.S. Case No. 385/2018 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

**(Hemant Kumar Srivastava, J)**

Spd/-

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