

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24461 of 2018

Arising Out of PS.Case No. -1170 Year- 2016 Thana -MUZFFARPUR COMPLAINT
CASE District- MUZAFFARPUR

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1. Manoj Kumar

2. Ranveer Kumar @ Ranbir Kumar

Both sons of Jageshwar Prasad Singh, residents of
Sarmastpur, P.S. Sakra, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Smt. Babita Sharma, W/o Raj Kumar Sharma, resident of
Sarmastpur, P.S. Sakra, District Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Rakesh, Adv.

For the O.P. No. 2 : Mr. Chandra Shekhar Anand, Adv.

For the State : Mr. Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 28-06-2018 Heard learned counsel for the petitioners,
complainant/opposite party No. 2 and the State

The petitioners seek bail in anticipation of their
arrest in connection with Complaint Case No. 1170 of 2016,
dated 06.06.2016, instituted for the offences punishable
under Sections 461, 467, 469 and 120(B) of the Indian Penal
Code.



A plot of land was sold to the complainant/opposite party No. 2 by one Ranjit Kumar who is non-else, but the brother of the petitioners. When the complainant/opposite party No. 2/vendee went to the plot to get some construction done, an objection was raised by aforesaid Ranjit Kumar. The complainant/opposite party No. 2 later came to learn that maliciously and fraudulently, the same plot of land was later sold by the father of aforesaid Ranjit Kumar to one Rinki Devi and on which sale-deed, petitioner No. 2/Ranveer Kumar @ Ranbir Kumar was a witness.

It has been submitted on behalf of the petitioners that they have not executed the second sale-deed in favour of Rinki Devi and they cannot be prosecuted for the fault committed by their father and brother.

This defence is not available to the petitioner No. 2, who has been a witness to the second sale-deed in faovur of aforesaid Rinki Devi.

Since petitioner No. 1/Manoj Kumar has neither executed the sale-deed nor has been a witness to the aforesaid transaction, he is directed to be released on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on his furnishing bail bond in the sum of Rs.



10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Cum-Sub-Judge-13, Muzaffarpur in connection with Complaint Case No. 1170 of 2016 (Trial No. 1502 of 2017).

So far as petitioner No. 2/Ranveer Kumar @ Ranbir Kumar is concerned, his prayer for anticipatory bail is, hereby, rejected.

(Ashutosh Kumar, J)

Praveen-II/-

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