

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12807 of 2019

Arising Out of PS. Case No.-102 Year-2018 Thana- RAGHUNATHPUR District- Siwan

1. SUDAMI DEVI @ SUDMIYA DEVI Wife of Janakdeo Mali R/o village and Post Office- Nikhati Kala , P.S- Raghunathpur, Dist- Siwan
2. Janakdeo Mali Son of Late Dinanath Mali R/o village and Post Office- Nikhati Kala , P.S- Raghunathpur, Dist- Siwan
3. Jitendra Mali Son of Janakdeo Mali R/o village and Post Office- Nikhati Kala , P.S- Raghunathpur, Dist- Siwan
4. Nagendra Mali Son of Janakdeo Mali R/o village and Post Office- Nikhati Kala , P.S- Raghunathpur, Dist- Siwan
5. Manoj Mali Son of Janakdeo Mali R/o village and Post Office- Nikhati Kala , P.S- Raghunathpur, Dist- Siwan
6. Dhananjay Mali @ Dhananjey Mali Son of Janakdeo Mali R/o village and Post Office- Nikhati Kala , P.S- Raghunathpur, Dist- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Narendra Kumar Singh Son of Prabhunath Singh R/o village and Post Office- Nirwati Kala , P.S- Raghunathpur, Dist- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Nath Dubey
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 01-07-2019 Heard learned Counsel for the petitioner, learned

Counsel appearing on behalf of the informant- Opposite Party

No. 2 and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Raghunathpur Police Station Case No. 102 of 2018,
disclosing offences under Sections 420/465/466/467/471/472/
307/379/120B of the Indian Penal Code.



The allegation against the petitioners, as per the complaint, is that the petitioner no. 1 has purchased a piece of land from one Ramji Singh, which fell in the share of the informant. Other petitioners are husband and sons of petitioner no. 1.

Learned Counsel for the petitioners submits that the petitioner no. 1 is a bonafide purchase of land from Ramji Singh and the informant has alleged that there was a partition among the brothers way back in the year 1976 and the share of the informant has been sold by the accused Ramji Singh in favour of petitioner no. 1. He further submits that the purchaser was not aware of the dispute between the family members of the accused Ramji Singh and purchased the land on payment of valid consideration money.

Learned Counsel for the informant has vehemently opposed the prayer for bail and submits that the purchaser and others are responsible for committing forgery by purchasing the land belonging to the complainant.

After having heard learned Counsel for the parties and after going through the materials on record, it transpire that the petitioner no. 1 is a bonafide purchaser and other petitioners are relatives of the petitioner no. 1 and there is dispute between the



co-accused Ramji Singh and the informant with regard to the ancestral land, I find it a fit case for grant of privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, 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 Chief Judicial Magistrate, Siwan, in connection with Raghunathpur Police Station Case No. 102 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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