

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.75918 of 2018**

Arising Out of PS. Case No.-83 Year-2013 Thana- KUSHESHWARASTHAN District-  
Darbhanga

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1. Nil Kamal Yadav @ Nil Kamal Nirala, S/o Sri Mukeshwar Yadav
  2. Kaleshwar Yadav S/o Poshan Yadav Both Resident of Village-Bohorba,P.S. Jhajhra,P.S. Kusheshwar Asthan,Distt.-Darbhanga

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Sujan Devi W/o Raj Sugarath Yadav Resident of Village-Kalilashi,P.S. Sindhiyam,Distt.-Samastipur at present Sujan Devi W/o Raj Sugarath yadav,Resident of Village- Bahorwa,P.S. Kushwar Asthan, Distt.-Darbhanga.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar  
For the Opposite Party/s : Mr. Sakir Ahmad

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA  
ORAL ORDER**

7      26-11-2019                      This application, for grant of anticipatory bail, arises out of G.R. No. 230/2013, arising out of Kusheshwar Asthan, P.S. Case No. 83/2013, disclosing offences under Sections 420, 467, 468, 471, 472, 120B/34 of the Indian Penal Code.

The allegation against the petitioners as per complaint case is that they got several deed executed in collusion with the other from the brother of the informant and was mentally ill and one of the deed was executed in favour of the petitioner no. 1 and petitioner no. 2 was identifier in sale deed.

Submission of learned counsel for the petitioner is that they have falsely been implicated in this case and so far



petitioner no. 2 is concerned, he is only identified the sale deed and nothing to do with the deeds.

On the other hand, learned APP opposed the prayer for bail that petitioner no. 1 is the grandson of petitioner no. 2 and both the petitioners along with other accused persons conspired and got a sale deed executed from the brother of the informant who has not raised and is mentally sick.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioners rather petitioners should surrender before the Court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed.

**(Vinod Kumar Sinha, J)**

Ranjeet/-

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