

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53305 of 2019

Arising Out of PS. Case No.-253 Year-2019 Thana- KESARIA District- East Champaran

1. Nawal Kishore Singh Son of Late Bachcha Singh @ Janak Singh Resident of Village Konihayan, P.S.- Kesharia District- East Champaran.
2. Aditya Swaroop Son of Nawal Kishore Singh Resident of Village Konihayan, P.S.- Kesharia District- East Champaran.

... .. Petitioners

Versus

1. The State of Bihar
2. Kusum Singh, W/o late Shri Narayan Singh, Vill + P.O.- Konhiyan, P.S.- Keshariya, District- East Champaran.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manisha Singh
For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 16-11-2019 Heard learned counsel for the petitioners and learned
counsel for the opposite party no.2.

The petitioners seek pre-arrest bail in connection with
Keshariya P.S.Case No. 253 of 2019 registered under Sections
341, 323, 420 and 467 read with 34 of the Indian Penal Code.

The allegation against the petitioners is that they
along with four others, namely, Jay Prakash Singh, Alok Ranjan,
Ravi Ranjan and Amit Kumar Singh illegally got executed
registered sale deed of land belonging to the informant in their
own name.

It has been submitted by the learned counsel for the
petitioners that if the petitioners have got executed sale deed of



land falling in the share of the informant, it is they and not the informant, who have been cheated. He contended that the petitioners are agnates of the informant and a bonafide sale deed has been executed in their favour by one Muktinath Vidyarthi, the real owner of the land.

On the other hand, learned counsel appearing for the opposite party no.2 submitted that the alleged sale deed executed by Muktinath Vidyarthi is collusive in nature and has been executed by him in favour of the petitioners and others in order to defraud and cheat the informant.

Be that as it may, considering the submissions made by the learned counsel for the parties and the nature of dispute, in the event of arrest or surrender before the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-3, East Champaran in connection with Kesariya P.S. Case No. 253 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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