

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69646 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- RAJAOLI District- Nawada

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1. Pramod Kumar Singh, S/O Sidheshwar Singh R/O Village- Bagodar, P.S.- Hasua (Hisua), Dist.- Nawada.
 2. Nripendra Kumar, S/O Sidheshwar Singh R/O Village- Bagodar, P.S.- Hasua (Hisua), Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rina Sinha

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Rajauli P.S. Case No.25 of 2019, for the offence punishable under Sections 420/ 467/ 468/ 471/34 of the Indian Penal Code.

The allegation against the petitioners as per the First Information Report is that the petitioners after committing forgery and by impersonating got the land registered standing in the name of the mother of the informant through one Renu Devi whereas the mother of the informant, namely, Indrawati Devi, has died long back ago.

Learned counsel appearing for the petitioners submits that the petitioners have falsely been implicated in this case



inasmuch as after negotiation with Jyotish Kumar Sinha, son of late Arjun Prasad, the petitioners agreed to purchase the piece of land belonging to the mother of the said Jyotish Kumar Sinha and paid a sum of Rs.44,06000/- in favour of executant of the sale deed, namely, Renu Devi. Learned counsel further submits that Jyotish Kumar Sinha represented the petitioners that her mother is Renu Devi, wife of late Arjun Prasad and believing on the version of the Jyotish Kumar Sinha, s/o late Arjun Prasad, the petitioners purchased the said piece of land situated in plot Nos.1130, 1081, 1114, 1088 after payment of consideration amount as mentioned in the sale deed annexed as part of the FIR.

Learned counsel for the petitioners submits that petitioners through their wives are *bona fide* purchasers of the piece of land and taking into consideration the innocence of the petitioners, the informant has entered into compromise with the petitioners which is annexed as Annexure-2 of this application. Learned counsel further submits that informant has filed Title Suit for cancellation of sale deed executed in favour of wife of the petitioners. Learned counsel relying upon Annexure-3 submits that the wives of the petitioners, in whose favour sale deed has been executed, have been granted bail by this Court



vide order dated 02.09.2019 passed in Cr. Misc. No.55358 of 2019.

Having heard learned counsel for the parties and taking into consideration the fact that petitioners have claimed to have paid the consideration amount of the land in question and Jyotish Kumar Sinha has signed as identifier in the sale deed executed by her alleged mother, Renu Devi w/o Late Arjun Prasad, I am inclined to grant anticipatory bail to both the petitioners.

Accordingly, the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Rajauli P.S. Case No.25 of 2019, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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