

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 16203 of 2020

Arising Out of PS. Case No.-479 Year-2019 Thana- COMPLAINT CASE District-
Kishanganj

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1. Cheharu Lal Singh @ Chiharu Singh Son of Late Biren Lal Singh Resident of Village - Rajgaon, P.S.- Jiyapokhar, District- Kishanganj
 2. Tetli Devi Wife of Aachu Lal @ Aanchu Lal Singh Resident of Village - Hamla, P.S. - Powakhali, District- Kishanganj
 3. Panchanand Lal Singh @ Panchanand Singh Son of Aachu Lal @ Aanchu Lal Singh Resident of Village - Hamla, P.S. - Powakhali, District- Kishanganj
 4. Nityanand Singh Son of Aachu Lal @ Aanchu Lal Singh Resident of Village - Hamla, P.S. - Powakhali, District- Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Upendra Lal Singh Son of Dhandharu Singh Resident of Village - Rajgaon, P.S.- Jiyapokhar, District- Kishanganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ram Prawesh Kumar
For the Opposite Party/s	:	Mr.Pramod Kumar Pandey
For the OP-2	:	Mr.Ravish Mishra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 04-09-2020 Heard learned counsel for the parties through video conferencing.

The petitioners apprehend their arrest in Complaint Case No. 479 of 2019 punishable for the offence under Section 420 of the Indian Penal Code.

In the complaint petition, the complainant has alleged that after the death of his grandfather, his father became heir of a piece of land pertaining to Chak Khata No. 2, Chak Khesra



No. 12, Thana no. 200 and the said land was orally exchanged by Cheharu Lal Singh (petitioner no. 1) with his father. It is alleged that in the year 2015, petitioner no. 1, through a registered deed no. 4089, sold out his father's land to one Panchanand Lal Singh (petitioner no. 3) and others by projecting another man as the owner, instead of his father.

It is submitted on behalf of petitioners that petitioners are innocent and have falsely been implicated in this case due to land dispute. In fact, petitioner no. 1 is uncle of complainant and petitioner no. 1 has sold the aforesaid land to petitioner no. 3. Petitioner no. 2 and 4 are respectively mother and brother of petitioner no. 3 and they have committed no offence. It is further submitted that afore-stated land was sold in the year 2015 and present complaint has been lodged after laps of four years in the year 2019 and there is no explanation for the same. It is purely a case of civil nature. Petitioners have clean antecedent.

Considering the aforesaid facts and circumstances, the anticipatory bail application is allowed.

In the event of arrest or surrender within a period of eight weeks from the date receipt/production of copy of this order, let the above-named petitioners be enlarged 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 Judicial Magistrate 1st Class, Kishanganj, in connection with Complaint Case No. 479 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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