

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37423 of 2021

Arising Out of PS. Case No.-66 Year-2019 Thana- MADHAURAH District- Saran

1. Raj Kishor Singh, aged about 63 years, Male, S/o Ramjanm Singh, R/o Village- Jalalpur, P.S.- Bheldi, District- Saran.
2. Rambha Devi, aged about 55 years, Female, W/o Sri Raj Kishor Singh, R/o Village- Jalalpur, P.S.- Bheldi, District- Saran.
3. Wakil Ray @ Wakil Rai, aged about 52 years, Male, S/o Ambika Ray R/o Village- Jalalpur, P.S.- Bheldi, District- Saran.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Bishwajeet Singh, Advocate.
For the Opposite Party : Mr. Pramod Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-07-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioners and learned A.P.P. for the State through Virtual mode.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 420, 467 and 468 of the I.P.C.

The prosecution story, in brief, is that the father of the complainant-informant got a piece of land measuring 8 Katha 11 Dhurs pertaining to Khata No. 57, Plot Nos. 169, 170 pursuant



to compromise decree in Title Suit No. 31-186/1958 and after his death the complainant-informant came in possession thereof. It is further alleged that one Mathura Singh was his grand-father and the same is also described in Voter List as well as sale deeds which were executed by his father and in Title Suit above referred, wherein the wife of one Jamuna Singh, namely, Hansa Kuer was also a party. It is alleged that accused persons conspired and created a sale deed from co-accused Krishna Devi in the name of co-accused Rambha Devi (petitioner no. 2) wherein Jamuna Singh was shown that he had two sons, namely, Raghunath Singh and Dharmnath Singh, which is wrong. He alleged that the fact is that Jamuna Singh died issueless leaving behind his widow Hansa Kuer and Raghunath Singh is the son of Mathura Singh. Krishna Devi claimed herself to be grand-daughter of Jamuna Singh.

It has been submitted by learned counsel for the petitioners that they have got no criminal antecedent. They have falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioner no. 2 is a lady. As per allegation, there was sale and transaction of a piece of land in question. The matter relates to civil dispute.



On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of the learned C.J.M. or his successor, Saran, in connection with Marhowra P.S. Case No. 66/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only each with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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