

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12175 of 2022**

Arising Out of PS. Case No.-371 Year-2019 Thana- BHOJPUR COMPLAINT CASE  
District- Bhojpur

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1. JAGNARAYAN SINGH @ GANARAYAN SINGH Son of Manbodh Singh
  2. Shyam Bihari Singh Son of Late Kawal Singh
  3. Shri Bhagwan Singh Son of Manbodh Singh
  4. Ram Chandra Singh son of Manbodh Singh  
All Resident of Village - Basmanpur, P.S. - Piro (Hasan Bazar), District  
- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Umesh Kumar Singh S/o Late Rupnarayan Singh Resident of Village -  
Dhangai, P.S. Bikramganj (Ramnagar), District - Rohtas.

... .. Opposite Party/s

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**Appearance :**

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| For the Petitioner/s     | : | Mr. Kameshwar Singh, Advocate           |
| For the Opposite Party/s | : | Mr. Shyam Kumar Singh, A.P.P.           |
| For the Complainant      | : | Mr. Dharmesh Kumar Shrivastava Advocate |

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      13-09-2022                      Heard learned counsel for the petitioners, the  
complainant and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period  
of four weeks.

The petitioners apprehend their arrest in a case  
registered for the offences punishable under Sections 467, 468,  
471, 420 and 120(b) of the Indian Penal Code.

Learned counsel for the petitioners submits that  
petitioners no. 1, 2 and 4 are persons with clean antecedent and  
petitioner no. 3 has antecedent of one case.



The complainant alleges that his land was sold by one Dular Singh to the petitioners despite he having no legal title over the land.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case and what has been alleged in the complaint is true then complainant has remedy for getting the sale deed cancelled on the ground that the sellor of the land had no title over the land which is sold in favour of the purchaser. He further submits that petitioners are purchasers of the land and have purchased the land unknowingly. He next submits that the complainant has remedy of getting the sale deed cancelled which the petitioners would contest before the Court of competent jurisdiction but since the sale deed till date has not been cancelled, as such, it cannot be alleged with certainty that the land belongs to the complainant or else he would have taken the legal remedy available under the law but instead of taking remedy available under the law the complainant has resorted to criminal proceeding.

Learned A.P.P. for the State and the complainant opposed the prayer for anticipatory bail of the petitioners but are not able to meet the submission of the learned counsel for the petitioners that in the event if the complainant is aggrieved by



the sale deed he has remedy available in law to get the sale deed cancelled.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Complaint Case No. 371C of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

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