

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21626 of 2021

Arising Out of PS. Case No.-90 Year-2019 Thana- PAKRIDAYAL District- East Champaran

1. Rudal Singh Son Of Brahmdeo Singh Patel Resident Of Village - Mahuawa Tola Baswariya, P.S.- Chiraiya, Dist.- East Champaran.
2. Ram Pratap Patel @ Rana Pratap Singh Son of Rudal Singh Resident of Village - Mahuawa Tola Baswariya, P.S.- Chiraiya, Dist.- East Champaran.
3. Brahmdeo Singh Patel Son of Munshi Singh Patel Resident of Village - Mahuawa Tola Baswariya, P.S.- Chiraiya, Dist.- East Champaran.
4. Prem Singh Patel Son of Brahmdeo Singh Patel Resident of Village - Mahuawa Tola Baswariya, P.S.- Chiraiya, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

8 21-09-2022 Heard learned counsel for the petitioners,

informant and learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Sections 418, 467, 468, 470, 471, 474, 484, 323, 504,

506, 34 of the Indian Penal Code.

The prosecution case as per F.I.R is that

petitioner No. 1 executed a sale deed in favour of the

informant for a consideration amount of Rs. 18,80,000/-



but when the informant went to take possession of the land in question, he found that some other persons have got possession over the same, who claimed themselves to be the rightful owner of the land in question.

It is submitted by learned counsel for the petitioners that petitioner No. 1 is the vendor of the sale deed in question and rightly executed the sale deed in favour of the informant. The petitioners also denied the fact that they signed as a witness with regard to the same land in question at the time of execution of the sale deed. It is further submitted that after completing the investigation, final form was submitted and petitioners were not sent up for trial but differing with the final form, cognizance has been taken against the petitioners. Moreover, it is a case of civil nature, for which, criminal prosecution has been initiated against the petitioners. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

In the facts and circumstance of the case, let



the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Vth, Motihari, West Champaran in connection with Pakridayal P.S. Case No. 90 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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