

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29569 of 2022

Arising Out of PS. Case No.-56 Year-2022 Thana- MUFFASIL District- Aurangabad

1. SIKANDAR SINGH Son of Late Haridas Singh Resident of Village-Raipura, P.S.-Muffasil, District-Aurangabad (Bihar)
2. Sudama Singh Son of Late Haridas Singh Resident of Village-Raipura, P.S.-Muffasil, District-Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 341, 323, 467, 468, 120B and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that accused persons prepared a forged and fabricated sale deed in favour of accused no. 6 to 10 in the F.I.R and mutation was done in their name and on that basis they were claiming possession over the land in question, further the sale deed was not registered from the Registry Office rather was



forged and based on such sale deed, the land was mutated in the name of Dasrath Singh who had died 15 years ago, it is further alleged that based on forged sale deed dated 04.07.2019 executed in favour of Bablu, mutation was also done, it is alleged that on inquiry, the informant came to know that her father had never sold the land. It is next alleged that a Title Suit No. 74 of 2020 is pending in the Court of learned Sub-Judge-I, Aurangabad in which there is an order restraining sale and purchase during pendency of the title suit.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that the present F.I.R arises out of a complaint and from perusal of the same it would manifest that the complainant does not allege anything specific against the petitioners rather the allegations against them are general and omnibus in nature, it is also submitted that the dispute prima-facie appears to be civil in nature and a title suit is already pending. Learned counsel further submits that petitioners have neither purchased nor sold the land of the informant nor they are witness on any sale deed purported to have been executed for selling the land of the father of the informant.

Learned A.P.P. for the State opposes the prayer for



anticipatory bail of the petitioners.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Muffasil P.S. Case No. 56 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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