

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69886 of 2021

Arising Out of PS. Case No.-68 Year-2020 Thana- MANIYARI District- Muzaffarpur

1. Randhir Kumar S/o Late Ram Babu Sah R/o village- Raghunathpur Madhuban, Tola- Sitarampur, P.S.- Maniyari, District- Muzaffarpur, Bihar
2. Shambhu Sah S/o Late Bhikari Sah R/o village- Raghunathpur Madhuban, Tola- Sitarampur, P.S.- Maniyari, District- Muzaffarpur, Bihar
3. Arvind Kumar S/o Ramchandra Sah R/o village- Raghunathpur Madhuban, Tola- Sitarampur, P.S.- Maniyari, District- Muzaffarpur, Bihar
4. Sanjay Kumar S/o Late Visheshwar Sah R/o village- Raghunathpur Madhuban, Tola- Sitarampur, P.S.- Maniyari, District- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. NK Agrawal, Sr. Advocate Mr. Prabhat Kumar Singh, Advocate Ms. Preety Kunwar, Advocate
For the Opposite Party/s	:	Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-07-2022 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Maniyari P.S. Case No. 68 of 2020, registered for the offences punishable under Section 420 and other allied sections of the Indian Penal Code.

As per the complaint case, all the accused persons including petitioners conspired with each other prepared a false agreement and by committing forgery got *Mahadanama* executed in favour of Ram Babu Sah (since deceased) and



petitioner no. 1 is son of Ram Babu Sah, petitioner no. 2 and 3 are witnesses of the said *Mahadanama* and petitioner no. 4 is brother of deceased Ram Babu Sah.

It is submitted that payment has already made through different cheques and cash. Initially the informant executed agreement to sale for selling of 2 decimal of land in favour of Ram Babu Sah (now deceased) out of Khata No. 378, Khesara No. 1288, area 8 decimal situated at Raghunathpur Madhuban, Tola-Sitarampur, PS-Maniyari, District-Muzaffarpur for total consideration money of Rs. 1 lakh, out of which Rs. 15,000/- was given in cash and Rs. 25,000/- given through cheque and rest amount was to be given within one year in which petitioner 2 and 3 are witnesses of the said agreement to sale. Ram Babu Sah requested the informant to receive the rest amount of Rs. 60,000/- and the get the land registered in his name, but on one pretext or the other the complainant refused the same. Thereafter, Ram Babu Sah filed a petition under Section 144 Cr.P.C. and same was withdrawn on the ground that title suit no. 78 of 2019 is pending before Civil Court, Muzaffarpur and also filed title suit 78 of 2019 before the Civil Court, Muzaffarpur for execution of agreement to sale. In fact, the complaint do not want to execute the agreement to sell and implicated the



petitioners after death of Ram Babu Sah. Moreover, specific allegation is against Ram Babu Sah and so far as petitioners are concerned there is general and omnibus allegation. Petitioners have got no criminal antecedents.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Muzaffarpur in connection with Maniyari P.S. Case No. 68 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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