

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10458 of 2023

Arising Out of PS. Case No.-338 Year-2022 Thana- BIHAR District- Nalanda

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1. REKHA DEVI Wife of Umesh Yadav Resident of Village- Sherpur, P.O.- Daruara, P.S.- Noorsarai, District- Nalanda
 2. SACHCHIDA NAND DAS Son of Shiv Charan Ravidas Resident of Village- Sherpur, P.O.- Daruara, P.S.- Noorsarai, District- Nalanda
 3. DINESH PRASAD Son of Late Lala Mahto Resident of Village- Sherpur, P.O.- Daruara, P.S.- Noorsarai, District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sheela Singh Wife of Late Kapildev Narayan Prasad Resident of Village- Sherpur, P.S.- Noorsarai, District- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kr Singh No.1, Adv.
For the State	:	Mr.Chandra Sen Prasad Singh, APP
For the O.P. No.2	:	None

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-08-2023 Heard learned counsel for the petitioners and learned APP for the State. Though vakalatnama is filed on behalf of the O.P. No.2 but when the case is called out, nobody appears on her behalf.

2. Petitioners apprehend their arrest in a case registered for the offence punishable u/s 420, 467, 468, 471 of the IPC.

3. As per the prosecution case, the informant has a piece of land and one Murari Prasad has registered the said land to petitioner no.1, in which, petitioner no.2 is witness and petitioner no.3 is identifier.



4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. Petitioner no.1 is the purchaser, petitioner no.2 is the witness of the sale deed and petitioner no.3 is the identifier and there is no specific allegation against them in the alleged sale of the land. It is submitted that Murari Prasad and the informant are co-sharers of the disputed land and their ancestors are common and for the said land, a Title Suit No.86/2020 is pending in the court of learned Sub-Judge, Nalanda. It is further submitted that there is civil dispute between the parties and petitioners have no concern with the same. Petitioners have no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case and considering that there is civil nature of dispute between the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Bihar P.S. Case No.338 of 2022,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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