

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17553 of 2023

Arising Out of PS. Case No.-1607 Year-2019 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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1. PRAMOD KUMAR @ PRAMOD SINGH S/O LATE SHIVJI SINGH Resident of village- Chak Dumri, P.O.- Bakhari, Supayan, P.S.- Rajapakar, District- Vaishali.
 2. AMOD KUMAR SINGH S/O LATE SHIVJI SINGH Resident of village- Chak Dumri, P.O.- Bakhari, Supayan, P.S.- Rajapakar, District- Vaishali.
 3. ARVIND KUMAR SINGH S/O LATE SHIVJI SINGH Resident of village- Chak Dumri, P.O.- Bakhari, Supayan, P.S.- Rajapakar, District- Vaishali.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SHISHIR KUMAR SINGH S/O CHANDESHWAR PRASAD SINGH Resident of village- Dighi Khurda, Chanakya Colony, P.S.- Hajipur, District- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rupa Kumari, Advocate
For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-05-2023 At the outset, the learned counsel for the petitioners seeks to withdraw the present petition qua the petitioner no.3 in order to enable him to surrender before the learned Court below, within a period of four weeks from today and seek regular bail. Liberty so sought is granted.

Accordingly, the present petition qua the petitioner no.3 stands disposed off as not pressed.

Heard the learned counsel for the



petitioners and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Complaint Case No.1607 of 2019, registered for offences under Sections 420, 406, 120B, 467, 468 and 34 of the IPC.

The allegation is regarding the petitioner no.3 having executed a sale deed in favor of the complainant and his wife on 01.09.2016, after accepting sale consideration to the tune of Rs.12 lacs, wherein the petitioners no.1 and 2 are stated to be witness/identifiers. It is further alleged that when the complainant had enquired, it transpired that the land sold by the petitioner no.3 to the complainant does not exist.

The learned counsel for the petitioners has submitted that the petitioners no.1 and 2 are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners no.1 and 2 has further submitted that as far as they are concerned, they have not executed the



sale deed in question and are merely witness/identifiers, hence they are not having any complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioners no.1 and 2 are not the persons, who have sold the land in question to the complainant, I deem it fit and proper to admit the petitioners no.1 and 2 to the privilege of anticipatory bail.

Accordingly, the above named petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of



Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Vaishali at Hajipur in connection with Complaint Case No.1607 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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