

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20897 of 2023

Arising Out of PS. Case No.-434 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. MEENA DEVI W/O RAJU KUMAR @ RAJU KUMAR YADAV Resident of Village- Suraundha, P.O. Sarwa Bazar, P.S.- Barachati, District- Gaya.
 2. RAJU KUMAR @ RAJU KUMAR YADAV S/O LATE SOMAR YADAV Resident of Village- Suraundha, P.O. Sarwa Bazar, P.S.- Barachati, District- Gaya.
 3. DINESH YADAV S/O LATE KULDEEP YADAV Resident of Village- Suraundha, P.O. Sarwa Bazar, P.S.- Barachati, District- Gaya.
 4. RAMESHAR YADAV S/O LEKHA YADAV Deed Writer, Sub. Registry Office, Sherghati, Resident of Village- Tadwa, P.S.- Dobhi, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. MD. MAJULLAH S/O LATE AKBAR MIYAN Resident of Village- Suraundha, P.O. Sarwa Bazar, P.S.- Barachatti, District- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Javed Jafar Khan, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-06-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The learned counsel for the petitioners seeks
permission to withdraw the anticipatory bail application with
respect to petitioner Nos. 2 and 3.

Permission is accorded.

The petitioner Nos. 1 and 4 apprehend their arrest in a
case registered for the offences punishable under Sections 467,



468, 471 and 34 of the Indian Penal Code.

Learned counsel for the petitioners next submits that the petitioners are persons with clean antecedent and from bare perusal of the allegation as alleged in the F.I.R., it would manifest that the dispute is purely civil which has been given a criminal colour. It is further submitted that the complainant alleges that the accused persons got a sale deed executed by her with respect to 26 decimals of land, but fraudulently in the sale deed 34 decimals of land was recorded.

Learned counsel for the petitioners submits that the complainant sold 34 decimals of land which stands recorded in the sale deed and later by way of an afterthought instituted the present false case. It is further submitted that in the event if the complainant is aggrieved by the conduct of the accused persons, then in that event she has remedies available in law of getting the sale deed cancelled.

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 petitioner Nos. 1 and 4 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. 5,000/- (Rupees Five Thousand) each 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 Complaint Case No. 434 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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