

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25976 of 2022

Arising Out of PS. Case No.-628 Year-2020 Thana- SONEPUR District- Saran

1. Nawal Rai Son Of Umashani Rai Resident Of Village - Kalyanpur, P.S.- Sonpur, Distt.- Saran.
2. Suresh Rai Son Of Bashisth Rai Resident Of Village - Kalyanpur, P.S.- Sonpur, Distt.- Saran.

... .. Petitioner/s

The	State	Versus
		of
... .. Opposite Party/s		Bihar

Appearance :

For the Petitioner/s :	Mr. Yogesh Chandra Verma Adv.
For the Opposite Party/s :	Mr.Dr.Mrityunjaya Kr.Gautam A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 02-01-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable u/s 406, 420 and 506 of the Indian Penal Code.

As per prosecution case, the petitioners went to the house of the informant and asked him to work at their house for wage. When the informant went to the house of the petitioners, they asked to him to put his signature and thumb impression on



a paper. On being asked, the petitioners replied that they are making him as a witness. Believing them, the informant put his signature and thumb impression. Thereafter, the petitioners forcibly ploughed the land pertaining 2 *Kattha* and 10 *Dhurr*. The informant alleges that the petitioners have fraudently tried to grab his land.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedent as stated at para 3 of the bail petition. The signature of the informant has not been challenged. It is further submitted that it is a dispute of civil nature and the so-called sale deed is not registered by the Registrar rather it is prepared by the Notary.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners and further submitted that the sale deed is not legal.

Considering the aforesaid facts and circumstances of this case as well as the fact that the dispute is civil in nature, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount



each to the satisfaction of learned Court concerned, Saran in connection with Sonepur P.S. Case No. 628 of 2020, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This application stands allowed.

(Chandra Prakash Singh, J)

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