

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29680 of 2023

Arising Out of PS. Case No.-9011 Year-2022 Thana- PATNA COMPLAINT CASE District- Patna

1. Chandni Singh, W/O Gyanendra Narayan R/O House No. 5b/8, Road No. 17, Rajeev Nagar, P.S- Rajeev Nagar, Distt.- Patna.
2. Gyanendra Narayan, S/O Hari Narayan Tiwari R/O House No. 5b/8, Road No. 17, Rajeev Nagar, P.S- Rajeev Nagar, Distt.- Patna.
3. Swarnlata Devi @ Swarnlata Singh, W/O Ranjit Singh R/O House No. 5b/8, Road No. 17, Rajeev Nagar, P.S- Rajeev Nagar, Distt.- Patna.
4. Ranjeet Singh @ Ranjeet Kumar Singh, S/O Late Ganesh Prasad Singh R/O House No. 5b/8, Road No. 17, Rajeev Nagar, P.S- Rajeev Nagar, Distt.- Patna.
5. Karnjit Singh, S/O Ranjit Singh R/O House No. 5b/8, Road No. 17, Rajeev Nagar, P.S- Rajeev Nagar, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Anju Gupta, W/O Shri Azad Kumar Gupta R/O Purani Training Building, Muradpur, Ashok Raj Path, P.S- Pirbahaur, Distt.- Patna-800004.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Tiwary
For the Opposite Party/s : Mr. Shyam Kumar Singh
Mr. Sanjeev Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-08-2023 1. Heard learned counsel for the petitioners, learned
counsel for the complainant and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 406, 427, 467 and 471 read with Section 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that



the petitioner nos.1, 2, 3 and 5 are persons with clean antecedent and petitioner no.4 has antecedent of one case. It is next submitted that complainant alleges that her brother (petitioner no.4) took her house on rent and thereafter, he along with his wife (petitioner no.3) kept their daughter (petitioner no.1) and son-in-law (petitioner no.2) in the house and thereafter, asked the complainant to give the house on rent in favour of petitioner no.1. Accordingly, a rent agreement was executed with petitioner no.1 on 20.09.2017, but the rent was never paid. It is next alleged that petitioner nos.1 and 2 after the rent period was over in connivance with other accused persons prepared forged documents showing that they had purchased the house for an amount of Rs.50 Lacs.

4. The learned counsel for the petitioners submits that petitioner has been falsely implicated in the present case. It is next submitted that it absolutely does not stand to reason that own brother of the complainant in connivance with his wife, daughter and son-in-law would cheat the complainant by making a forged document with regard to her house. The learned counsel next submits that from perusal of the Annexure-3 to the anticipatory bail application, it would manifest that an agreement for sale was entered in between the petitioners and



the complainant with regard to the house in question. It is further submitted that an amount of Rs.50 Lacs was paid in cash, but not in one go for the reason that the plot of land, on which the house is constructed, is disputed being situated in Rajiv Nagar, Patna. The learned counsel next submits that after the complainant received the entire consideration amount of Rs.50 Lacs, the sale deed was not executed. Thus, the petitioners filed Title Suit No.272 of 2022 in the Court of learned Subordinate Judge-8th, Patna with a prayer that the complainant be directed to execute the sale deed in terms of the agreement for sale. It is next submitted that the complainant has appeared in the Title Suit and is contesting. It is further submitted that a civil dispute has been given a criminal colour.

5. Learned A.P.P. along with learned counsel for the complainant opposes the bail application, but are not in a position to rebut the submission of the learned counsel for the petitioners that Title Suit No.272 of 2022 is pending adjudication in which the complainant has also appeared.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail



on their furnishing bail-bonds in the sum of Rs. 10,000/-
(Rupees Ten Thousand) each with two sureties of the like
amount each to the satisfaction of the learned Judicial
Magistrate, 1st Class, Patna in connection with Complaint Case
No.9011(C) of 2022, subject to the conditions laid down under
Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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