

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31739 of 2023

Arising Out of PS. Case No.-253 Year-2018 Thana- PATLIPUTRA District- Patna

1. ANITA RANI SINGH @ ANITA RANI Wife of Prem Kumar Singh Resident of Plot No.- 85-D, Patliputra Colony, P.O. and P.S. - Patliputra, District - Patna.
2. Prem Kumar Singh Son of Late Kapil Deo Narayan Singh Resident of Plot No.- 85-D, Patliputra Colony, P.O. and P.S. - Patliputra, District - Patna.

... .. Petitioners.

Versus

1. The State of Bihar.
2. Dr. Prashant Kumar Verma, son of Late Sujay Prakash Lal, resident of Plot No.85A, Patliputra Colony, P.O. & P.S. Patliputra, Twon and District Patna.

... .. Opposite Parties.

Appearance :

For the Petitioners	:	Mr. M. N. Parbat, Sr. Advcoate Mr. Praveen Prabhakar, Advocate Mr. Abhay Kumar Singh, Advocate
For the State	:	Mr. Md. Aslam Ansari, APP
For the O.P. No.2	:	Mr. Nazir Alam, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-09-2023 Heard Mr. M. N. Parbat, learned senior counsel assisted by Mr. Praveen Prabhakar, learned counsel for the petitioners and learned A.P.P. for the State assisted by learned counsel for the opposite party no.2.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406, 420 & 120B of the Indian Penal Code.

3. Both the petitioners under a deep rooted conspiracy are said to have committed fraud to grab the property of the complainant.

4. It is submitted by learned counsel for the petitioners that no



such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to land dispute. The petitioner no.1, Smt. Anita Rani Singh is the absolute owner of the alleged disputed property and she purchased the property by way of a registered sale deed dated 30.03.2012. She had made necessary modifications and adjustments to the property to make it habitable and the petitioners have been residing there since then. It is further submitted that a Power of Attorney was given to petitioner no.2 by Late Nirmal Kumar Verma on the basis of which, the petitioner no.2 had sold the property to Smt. Anita Rani Singh. The Power of Attorney clearly authorized the second petitioner to sale, mortgage deed, to execute lease deed, transfer deed, correction deed and rent deed and otherwise to deal with the said property and for this the said petitioner no.2 has made payment of about Rs.5,25,000/- to Late Nirmal Kumar Verma in the year 2002. It is further submitted that there is admitted land dispute between the parties which is civil in nature and for which criminal prosecution has been launched. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel for the opposite party no.2 opposed the prayer for bail.



6. Having regard to the facts and circumstances of the case as well as the fact that there is admitted land 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 lower Court where the case is pending/successor Court in connection with Patliputra P.S. Case No.253 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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