

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35841 of 2023

Arising Out of PS. Case No.-535 Year-2022 Thana- RAJGIR District- Nalanda

1. Rukamini Devi @ Rukmini Devi Wife of Naresh Prasad Singh Resident Of Village- Jehal Bigha, Ps- Rajauli, Distt- Nawada
2. Sanjay Kumar @ Sanjay Prasad Son Of Late Sukhdev Prasad Resident Of Village- Jehal Bigha, Ps- Rajauli, Distt- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Rajgir P.S. Case No. 535 of 2022 dated 17.09.2022 instituted for the offence punishable under Sections 420, 406, 467, 468, 471, 34 of the Indian Penal Code.

3. The prosecution case, in short, is that on 13.12.2021, the petitioner no. 1 Rukmini Devi, being the wife of Chamari Mahto, has executed a forged and fabricated sale deed of 9.5 decimal land of informant situated in Khesra No. 3804 of Khata No. 235. It has also been alleged that in the sale deed, Rukmini Devi was identified by petitioner no. 2 Sanjay Kumar.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in



this case. It is further submitted that dispute arose between the parties is civil in nature and no criminal offences is made out against the petitioners. Learned counsel for the petitioners submits that a Title Suit No. 93 of 2022 is pending between the parties. Learned counsel for the petitioners submits that there is inordinate and unexplained delay in lodging the F.I.R. Learned counsel for the petitioners submits that alleged sale deed has been executed before the competent authority after proper verification. Lastly, it has been submitted that they have no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners in connection with Rajgir P.S. Case No. 535 of 2022, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nalanda, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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