

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36462 of 2023

Arising Out of PS. Case No.-135 Year-2022 Thana- JAMOBABAZAR District- Siwan

1. DINANATH PRASAD @ DINANATH MAHTO S/o Late Chandradeo Mahto Resident of village-Barhoga Yadu, P.S.-Jamo Bazar, District-Siwan
2. AMERICA SAH @ AMIRKA SAH S/o Chhathu Sah Resident of village-Barhoga Yadu, P.S.-Jamo Bazar, District-Siwan
3. MOST. RESHMI KUNWAR @ MOST. RESMA KUNWAR W/o Late Deo Pujan Resident of village-Barhoga Sirisiya, P.S.-Jamo Bazar, District-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ranjan Kumar Dubey, Advocate
For the Opposite Party/s :	Mr. Sanjay Kumar Tiwary, A.P.P.
For the Informant :	Mr. Anjani Parashar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 31-07-2023 Heard learned counsel for the parties.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 201, 420, 467, 468, 195, 471, 120(B) of the Indian Penal Code.

3. It is alleged that these petitioners committed forgery in the Government record and thereby, sold the land of the informant.

4. It is submitted that petitioner No. 1 had purchased a part of the disputed land from petitioner No. 2 through registered sale deed dated 03.05.2017 and came in possession over the same since the date of purchase. It is relevant to



mention here that petitioner No. 2 got this land in Settlement Case No. 03 of 2003-04 by the competent authority which has been affirmed in Bandobasti Appeal No. 27 of 2004-05 by the Additional Collector, Siwan. It is further submitted that informant has already filed Title Suit No. 249 of 2019 on 25.02.2019 in the court of Sub-Judge 14th, Siwan for declaration of his right and title over the land in question. Moreover, it is case of civil dispute and petitioners have got clean antecedent.

5. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in connection with Jamo Bazar P. S. Case No. 135 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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