

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38023 of 2023

Arising Out of PS. Case No.-99 Year-2023 Thana- JOGAPATTI District- West Champaran

1. Surya Mahto Son of Braham Dev Mahto Resident of village - Navgava, P.S. - Sirisiya, Distt. - West Champaran
2. Sujay Mahto Son of Late Hari Mahto Resident of village - Bahuarwa, P.S. - Sanichari, Distt. - West Champaran
3. Saral Mahto Son of Baldev Mahto Resident of village - Navgava, P.S. - Sirisiya, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 420 and 406 of the Indian Penal Code.

3. It is alleged that in the name of providing Indira Awas, these petitioners took signature of the complainant on plain papers and converted it into sale deed.

4. It is submitted that on behalf of the petitioners that petitioner No. 2 is a *bona fide* purchaser and purchased the land in question after payment of due consideration money. Petitioner



Nos. 1 and 3 are witness and identifier respectively. It is further submitted that the sale deed bears signature, thumb impression and photograph of the complainant and as such, the same cannot be said to be forged and fabricated. only with a view to extract money from the petitioners this false and concocted case has been lodged after inordinate delay of 10 days of the registration of the sale deed.

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, Bettiah, West Champaran in connection with Yogapatti P. S. Case No. 99 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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