

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38794 of 2023

Arising Out of PS. Case No.-584 Year-2021 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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1. SONA DEVI W/O LATE BANSHI CHOUDHARY R/O Dharnidhar Road, Biratpur, ward No. 13, P.S- Town, Distt.- Aurangabad.
 2. Ravi Shankar Chaudhary S/O Late Banshi Choudhary R/O Dharnidhar Road, Biratpur, ward No. 13, P.S- Town, Distt.- Aurangabad.

... .. Petitioners.

Versus

1. The State of Bihar.
2. Vijay Chaudhary S/O Aetwar Chaudhary R/O Shahpur Pokhara Per, P.S- Town, Distt.- Aurangabad.

... .. Opposite Parties.

Appearance :

For the Petitioners	:	Mr. Ashok Kumar Singh, Advocate
For the State	:	Mr. Awadhesh Kumar Singh, APP
For the O.P. No.2	:	Mr. Jitendra Kumar Sagar, Advocate
		Mr. Shambhu Sharan Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-08-2023 Heard learned counsel for the petitioners, learned counsel for the opposite party no.2 and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 406, 467, 471 & 120B of the Indian Penal Code.

3. The accusation against both these petitioners is that they executed forged sale deed in favour of the complainant and intended to grab his money and thereby both the petitioners cheated 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. It is further submitted that the petitioners have committed no wrong with the complainant and have sold the land to the complainant which was purchased by the husband of petitioner no.1, namely, Late Banshi Chaudhary. It is further submitted that after the purchase of the land, the name of the complainant was duly mutated in his name. It is further submitted that petitioners have sold the land to the complainant with specific boundary which was purchased by petitioner no.1. It is further submitted that the complainant taking advantage of his position/status lodged the present case against the petitioners only with a view to harass and humiliate them. It is lastly submitted that the nature of the dispute is purely civil. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP assisted by learned counsel for the opposite party no.2 opposed the prayer for bail submitting that petitioners have committed forgery with the complainant.

6. Having regard to the facts and circumstances of the case as also the fact that the nature of the dispute is purely civil in nature, 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 Complaint Case No.584 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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