

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48843 of 2021

Arising Out of PS. Case No.-123 Year-2021 Thana- SARAIYA District- Muzaffarpur

1. SABITA DEVI Wife of Krishna Mohan Singh Resident of Village- Ratanpur Dihi, P.S.- Saraiya, District- Muzaffarpur.
2. Krishna Mohan Singh Son of Late Aditya Narayan Singh Resident of Village- Ratanpur Dihi, P.S.- Saraiya, District- Muzaffarpur.
3. Jagarnath Sahni Son of Late Bhullar Sahni Resident of Village- Ratanpur Dihi, P.S.- Saraiya, District- Muzaffarpur.
4. Pappu Kumar Son of Ram Sakal Singh Resident of Village- Vasudeva, P.S.- Saraiya, District- Muzaffarpur.

... .. Petitioners.

Versus

1. The State of Bihar.
2. Baliram Singh, Son of Late Suraj Narayan Singh, resident of village Ratanpur, P.S. Saraiya, District Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh
For the Opposite Party/s : Mr. Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 5 04-12-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State. Although the name of learned counsel for the opposite party no.2 is appearing but, on repeated calls, none appeared on his behalf.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406 and 420/34 of the Indian Penal Code.
3. Petitioners are said to have conspired and got the land registered in their favour from his son, who is said to be mentally retired.



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. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that the informant has not filed a case for cancellation of the said sale deed. It is further submitted that it is a civil dispute 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 opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case as well as the fact that the dispute *inter se* is 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 Saraiya P.S. Case No.123 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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