

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52995 of 2022

Arising Out of PS. Case No.-431 Year-2021 Thana- NAUTAN District- West Champaran

1. SUNIL SAH SON OF NATHUNI SAH RESIDENT OF VILLAGE - MANGALPUR GUDARIA, P.S.- NAUTAN, DISTT.- WEST CHAMPARAN, BETTIAH.
2. RAKESH SAH @ RAKESH KUMAR SON OF HARICHANDRA SAH RESIDENT OF VILLAGE - MANGALPUR GUDARIA, P.S.- NAUTAN, DISTT.- WEST CHAMPARAN, BETTIAH.
3. AJAY PRASAD @ AJAY KUMAR SON OF LATE KAMTA PRASAD RESIDENT OF VILLAGE - MANGALPUR GUDARIA, P.S.- NAUTAN, DISTT.- WEST CHAMPARAN, BETTIAH.
4. MOHAN YADAV SON OF LATE CHANDRA DEO YADAV RESIDENT OF VILLAGE - MANGALPUR KALA, P.S.- NAUTAN, DISTT.- WEST CHAMPARAN, BETTIAH.

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Jainendra Kumar Pushkar , Advocate
For the Opposite Party/s : Nirmala Kumari , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 10-07-2023 The pre-arrest bail petition of petitioner No. 2 has

already been dismissed as withdrawn vide order dated

19.01.2023.

Heard learned counsel for the petitioner Nos 1, 3 and

4 and the State.

Petitioners apprehend their arrest in a case registered



for the offence punishable under sections 341, 323, 420, 467, 468, 471, 504, 506/34 of the Indian Penal Code.

As per the prosecution case, all the accused persons fraudulently got the land of the informant registered by his son Ranjan Kumar in favour of Sunil Shah by paying Rs. 96,000/-.

It is submitted that after payment of entire consideration money of Rs. 96,000/- to the informant and his son, petitioner No. 1 got the land registered through sale deed on 15.04.2021. Petitioner No 2 , 3 and 4 are identifier witness and deed writer of the sale deed. They have no role in transfer of money which was paid to the executant of the sale deed by Petitioner No. 1 that there is a counter case vide complaint case no. 1536/2021, filed by the wife of petitioner no.1 against the informant and others. The land in question has been mutated in favour of Petitioner No. 1 and he is paying rent to the government. The Dispute is of civil nature. Petitioners claim clean antecedent.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner Nos 1, 3 and 4, as named above, 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 the learned Chief Judicial Magistrate, West
Champaran, Bettiah in connection with Nautan P.S. Case No
431 of 2021, subject to the conditions laid down under section
438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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