

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63542 of 2023

Arising Out of PS. Case No.-581 Year-2021 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Chandra Mauleshwar Ranjan Sinha @ Chand Mauleshwar Ranjan Sinha Son
Of Surendra Narayan Sinha Resident Of Village - Gonwan, P.S. - Parasbigaha,
District - Jehanabad

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Suresh Chandra Prasad @ Surendra Narayan Sinha Son Of Late Ram Sagar Prasad Resident Of Village - Gonwan, P.S. - Parasbigaha, District - Jehanabad, Presently Residing At Janta Colony Bairagi, P.S. - Delha, P.O. - Railway Station, District - Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Adv.
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP.
For the Opposite Party No. 2 : Mr. Anil Kumar Saxena, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 20-12-2023 Heard Mr. Shivendra Prasad, learned counsel

appearing on behalf of the petitioner, Mr. Bhanu Pratap Singh,

learned A.P.P for the State and Mr. Anil Kumar Saxena, learned

counsel appearing on behalf of the opposite party no. 2.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 581 of 2021, registered for the
offences punishable under Sections 465 and 467 of the Indian
Penal Code.

3. Allegation against the petitioner is of fraudulently
executing the sale deed in favour of Pramila Devi and Savita



Devi, which land is exclusively belongs to the complainant.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is none else, but the son of the complainant and, in fact, he has sold the land to the extent of his exclusive share. It is further submitted that the father of the petitioner was in government job and he discarded the petitioner and his mother and solemnized second marriage and started residing with the second wife and her children. He next submits that in fact the father of the petitioner wanted to give his share to the children of the second wife, which resulted in a dispute between the petitioner and his father. Moreover, the complainant has also filed Title Suit No. 210 of 2021, pending before the Court of learned Sub-Judge-Ist, Jehanabad for cancellation of the sale deed executed in favour of Pramila Devi and Savita Devi.

5. On the other hand, learned counsel for the State as well as learned counsel for the opposite party no. 2 vehemently opposed the pre-arrest bail application and submit that the petitioner has fraudulently sold the land, which was self acquired property of the complainant and, as such, the allegation clearly constitute offences under Sections 465 and 467 of the I.P.C.



6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation, which is predominantly civil in nature and the fact that a title suit is pending for cancellation of the sale deed, in question, coupled with fair antecedent of the petitioner, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-IV, Jehanabad in connection with Complaint Case No. 581 of 2021, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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