

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62836 of 2022

Arising Out of PS. Case No.-183 Year-2021 Thana- VISHNUPAD District- Gaya

1. RAJESH KUMAR Son of Late Dinesh Prasad Resident of Mohalla - Karsilly Ashmasan Ghat Vishnupad Road, P.S.- Vishnupad, District - Gaya.
2. Alakh Kumar Sinha Son of Late Kishori Prasad Sinha Resident of Village - Tilha Dharamshala, West Road, P.S.- Civil Lines, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Chitranjan Sinha, Sr. Adv. Mr.Sanjay Kumar, Adv.
For the State	:	Mrs.Anita Kumari, APP
For the Informant	:	Mr.Shiva Shankar Sharma, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-02-2023 Heard learned senior counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 406, 420, 506, 120-B of the IPC.

As per the prosecution case, the F.I.R. named accused persons including the petitioners, in collusion with each other illegally sold the land of the informant causing her financial loss of more than 50 Lacs and with help of anti-social elements, they are trying to dispossess her.

It is submitted by learned senior counsel for the



petitioners that the petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to land dispute. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that petitioners are the purchasers and they purchased the said land from co-accused Gopal Prasad. Said Gopal Prasad and informant have common ancestors. Petitioners have no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant vehemently opposed the prayer for bail. Learned counsel for the informant submits that the petitioners and other co-accused persons, in connivance with each other, purchased the said land without giving the consideration money and in this way, they have committed forgery with the informant.

Having regard to the facts and circumstances of the case, since there is a civil dispute between the parties and petitioner are purchasers of the land, 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 court below where the case is pending/Successor Court in connection with Vishnupad P.S. Case No.183 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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