

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64479 of 2023

Arising Out of PS. Case No.-1787 Year-2022 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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1. Chandra Kishore Singh, aged about 39 years, Gender-M, S/O Sri Baban Singh, R/O Village- Daulatpur, P.S- Koilwar, Distt.- Bhojpur, Ara.
 2. Mahesh Singh, aged about 72 years, Gender-M, S/O Late Bacchu Singh, R/O Village- Daulatpur, P.S- Koilwar, Distt.- Bhojpur, Ara.
 3. Satendra Singh, aged about 61 years, Gender-M, S/O Late Kamta Singh, R/O Village- Daulatpur, P.S- Koilwar, Distt.- Bhojpur, Ara.
 4. Sudhir Kumar Singh, aged about 47 years, Gender-M, S/O Late Rana Pratap Singh, R/O Village- Daulatpur, P.S- Koilwar, Distt.- Bhojpur, Ara.

... .. Petitioners

Versus

1. The State Of Bihar.
2. Jhallo Devi, aged about 73 years, Gender-F, W/O Late Bhanu Pratap Singh, R/V- Daulatpur, P.S- Koilwar, Distt.- Bhojpur, Ara.

... .. Opposite Parties

Appearance :

For the Petitioners	:	Mr. Vijay Kumar Sinha, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 07-11-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Complaint Case No. 1787 of 2022 dated 09.11.2022 registered for the offence punishable under Sections



420, 419, 467 and 468 of the I.P.C.

4. As per the prosecution case, the complainant is an old lady. The petitioners have fraudulently got the sale deed executed by the complainant after administering some drugs to her. Thus, the land bearing Khata No. 295, Khesra No. 585 having 7.75 decimals of Mauza-Daulatpur, Thana No. 111, P.S. Kiolwar, District-Bhojpur was transferred to the petitioner no. 1 and land bearing Khata No. 40, Khesra Nos. 273 and 325 having 35 decimals of the same Mauza was transferred to the petitioner no. 2.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in this case. The petitioners were neither arrested on the spot nor any incriminating article has been recovered from their possession. It is submitted that from perusal of the Sale Deed No. 14826 dated 07.10.2022, it appears that the complainant has executed the sale deed of 7.75 decimals land in favour of the petitioner no. 1 on which the petitioner no. 3 is an identifier and the petitioner nos. 3 and 4 are the witnesses. Further, from perusal of Sale Deed No. 14827 dated 07.10.2022, it appears that the complainant has executed 35 decimals land in favour of the petitioner no. 2 on which the petitioner no. 4 is an



identifier and the petitioner nos. 3 and 4 are the witnesses and both the sale deeds were executed before the District Registry Office, Ara (Bhojpur) and finger print of the complainant were found on both the sale deeds. Thereafter, the complainant and her daughter had filed a Title Suit bearing Namari Case No. 14/2023 against the petitioner nos. 1 and 2 before the Sub Judge-I, Bhojpur, Ara for declaring both sale deeds as null and void. The complainant has also executed a Sale Deed No. 16924 dated 18.11.2022 of 18.75 decimals of land in favour of one Bibha Devi of Khata No. 40, Khesra No. 273, Thana No. 111 on which Savita Devi and Kunal Kumar Singh are the witnesses as to when the complainant was not owner of the said land for which the petitioners have filed Title Suit No. 13/2023 against the complainant and Bibha Devi. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail application.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like



amount each to the satisfaction of learned Court concerned, Bhojpur, Ara in connection with Complaint Case No. 1787 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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