

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71722 of 2022

Arising Out of PS. Case No.-385 Year-2021 Thana- COMPLAINT CASE District- Banka

1. SANJAY MANDAL Son of Late Ramlal Mandal Resident of Chandan (Heth Tola), P.O. and P.S.- Chandan, Distt.- Banka.
2. Sandeep Mandal Son of Madan Mandal Resident of Village - Padua, P.O., P.S. and Distt.- Deoghar (Jharkhand).
3. Neha Rani Wife of Sandeep Mandal Resident of Village - Padua, P.O., P.S. and Distt.- Deoghar (Jharkhand).
4. Dabloo Yadav @ Kumar Shivendram Son of Hari Prasad Yadav Resident of Village - Govindpur, P.O. and P.S.- Chandan, Distt.- Banka.
5. Anil Kumar Pandey Son of Late Ganesh Pandey Resident of Chandan, P.O. and P.S.- Chandan, District - Banka.

... .. Petitioners.

Versus

1. The State of Bihar
2. Mosmat Urmila Devi Wife of Late Bindeshwari Sah Resident of Village - Amgarrhwa, P.O.- Dumariya, P.S.- Belhar, Dist.- Banka.

... .. Opposite Party/s

WITH

CRIMINAL MISCELLANEOUS No. 65277 of 2022

Arising Out of PS. Case No.-385 Year-2021 Thana- COMPLAINT CASE District- Banka

RAKESH KUMAR SINHA @ RAKESH KUMAR Son of Bimleshwar Prasad R/v- Jagatpur, P.O., P.S. and District- Banka (813102)

... .. Petitioner/s

Versus

1. The State of Bihar
2. MASOMAT URMILA DEVI Wife of Late Bindeshwar Sah R/v- Amgarrhwa, P.O- Dumariya, P.S.- Belhar, District- Banka

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 71722 of 2022)

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Tapeshwar Sharma, APP

(In CRIMINAL MISCELLANEOUS No. 65277 of 2022)

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

For the Complainant : Mr. Praveen Kumar, Advocate

Mr. Ravi Prakash Dwivedi, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN



ORAL ORDER

3 23-06-2023 As both these bail applications have cropped up from the same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.

Heard learned counsel for the petitioners and the learned A.P.P. for the State assisted by learned counsel for the complainant.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 465, 467, 468 and 120B of the Indian Penal Code.

All these petitioners are said to have committed forgery and entered the name of Neha Rani in addition to the complainant during course of registration of sale deed in favour of the complainant.

The petitioners are quite innocent and have been falsely implicated in this case due to previous grudge. It is further submitted that there is *bona fide* land dispute between the complainant and her relative accused persons. The complaint petition has been filed by an abnormal delay of 20 days and no satisfactory reason has been assigned for the said delay. The allegations levelled against the petitioners is general and omnibus in nature. Petitioners have no criminal antecedent



as mentioned in para-3 of the respective bail application.

Per contra, learned APP for the State assisted by learned counsel for the complainant vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature. It is further submitted that complainant is an old, rustic and widow lady and whole of her savings has been cheated by the petitioners, hence they do not deserve anticipatory bail.

Considering the facts and circumstances of case as well as the fact that cognizance has been taken against the petitioners by the learned court below and the nature of the allegation, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected.

However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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