

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70650 of 2023**

Arising Out of PS. Case No.-20 Year-2023 Thana- AKHODHIGOLA District- Rohtas

1. Ram Suresh Singh Son Of Late Ram Raj Singh Resident Of Village- Chhapra , (Aghoriya Bigha) , PS -Akorhigola , Dist-. Rohtas
2. Umesh Singh Son Of Ram Suresh Singh Resident Of Village- Chhapra , (Aghoriya Bigha) , PS -Akorhigola , Dist-. Rohtas
3. Anil Singh Son Of Ram Suresh Singh Resident Of Village- Chhapra , (Aghoriya Bigha) , PS -Akorhigola , Dist-. Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajani Kant Singh, Adv.
For the Opposite Party/s	:	Mr. Arvind Kumar Pandey, APP
For the Informant	:	Mr. Dhaneshwar Prasad Gupta, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 09-11-2023 Heard Mr. Rajani Kant Singh, learned counsel for the petitioners and learned APP for the State. The informant is represented by Mr. Dhaneshwar Prasad Gupta.

2. The petitioners apprehend their arrest in connection with Akorhigola P.S. Case No. 20 of 2023 registered for the offences punishable under Sections 420, 504 and 506 of the Indian Penal Code.

3. Allegedly, the informant had purchased a piece of land under Khata no. 188, Plot no. 753 with an area of one bigha



from one Suresh Singh vide registered sale deed no. 149 dated 11.01.2022 but the broker of the land namely, Sunil Kumar Singh, Sunil Sah and the owners of the land, who are petitioners herein by making forgery in collusion with each other transferred the land of another person to the informant by making impersonation. It is further alleged that the petitioners with the help of others usurped Rs. 15 lac of the informant.

4. Learned counsel for the petitioners submits that from the FIR, it is evident that the money which is said to be consideration money was handed over to the broker namely, Sunil Kumar Singh. He further submits that the present FIR is nothing but an outburst of Complaint Case No. 135 of 2022, which was filed by the petitioner no.3 against the informant and others alleging therein that the informant and his associates committing fraud against the petitioners and by making a forged signature of petitioner no.1, prepared one Mahadanama, on the basis of which, they got executed the land of the petitioners. He next submits that for cancellation of the aforesaid sale deed a title suit bearing Title Suit No. 478 of 2022 has also been filed, which is pending before the learned Sub Judge-I, Sasaram, Rohtas. He further drew the attention of this Court to the inquiry report made by the S.D.P.O., Dehri, showing the petitioners



innocence. He next submits that though the petitioners have criminal antecedent, however, in the said case, the petitioner no.2 is on bail and the supervising authority excluded the name of the petitioners no.1 and 3.

5. On the other hand, learned counsel for the State opposes the bail application and submits that during the course of investigation, it transpired that the petitioners are accused in one other case. It is further submitted that the consideration money has been received by the petitioners through their broker, and as such, their complicity cannot be denied.

6. Regard being had to the submissions made on behalf of the parties and considering the bonafide land dispute between the parties, pendency of the title suit and the inquiry report submitted by the S.D.P.O. Dehri, suggesting the innocence of the petitioners, 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M.1st Class, Dehri-on-Sone, Rohtas in connection with Akorhigola P.S. Case No. 20 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C., with



further condition that one of the bailors shall be the own/close
family members of the petitioners.

(Harish Kumar, J)

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