

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4344 of 2024

Arising Out of PS. Case No.-158 Year-2022 Thana- PAKRIDAYAL District- East Champaran

1. Rajan Kumar Singh SON OF Sri Narayan Singh RESIDENT OF VILLAGE- BAKHARI, PS- PATAHI, DISTT- EAST CHAMPARAN
2. RAMAKANT SAH SON OF BASUDEV SAH RESIDENT OF VILLAGE- BAKHARI, PS- PATAHI, DISTT- EAST CHAMPARAN
3. NAND KISHORE RAUT SON OF LATE YOGENDRA RAUT RESIDENT OF VILLAGE- BAKHARI, PS- PATAHI, DISTT- EAST CHAMPARAN
4. HARENDRA SAH SON OF LATE SHIV NANDAN SAH RESIDENT OF VILLAGE- BAKHARI, PS- PATAHI, DISTT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-02-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Pakaridayal P.S. Case No.158/2022, G.R. No.3443/2022 dated 14.06.2022 registered for the offence punishable under Sections 406, 420, 467, 468, 471, 504, 506 and 120-B of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioner no.1 and petitioner no.2 have antecedent of one case and petitioner no.3 and petitioner no.4 are persons with clean



antecedent. It is next submitted that from perusal of the allegation as alleged in the F.I.R. it would manifest that a civil dispute has been given a criminal colour. It is also submitted that the informant alleges that the land in question which is disputed was received by him in a family partition, which was sold by his relative i.e. petitioner no.2 in favour of petitioner no.1 by resorting to forgery. The learned counsel next submits that it is not in dispute that petitioner no.2 and informant are related and if the informant is aggrieved by the execution of the sale deed by petitioner no.2 in favour of petitioner no.1 in that event he has remedy of getting the sale deed cancelled. It is further submitted that the O.P. No.2 has already filed Title Suit No. 42/2022 in the Court of learned Sub-Judge, Motihari, East Champaran for getting the sale deed executed by the petitioner no.2 in favour of petitioner no.1 cancelled. It is also submitted that petitioner no.3 is identifier on the sale deed and petitioner no.4 is a witness.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran at Motihari in connection with Pakaridayal P.S. Case No.158/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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