

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12367 of 2024

Arising Out of PS. Case No.-60 Year-2023 Thana- CIVIL LINE District- Gaya

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1. Brijraj Mishra S/O Late Shiv Shankar Mishra R/O Village- Jamune, P.S- Chandauti, Distt.- Gaya.
 2. Rakesh Mishra Son Of Devendra Mishra Resident Of Village- Jamune, P.S.- Chandauti, Distt.- Gaya

... .. Petitioners

Versus

1. The State Of Bihar
2. Vinod Kumar Mishra S/O Late Awadh Bihari Sharan Mishra R/O Village- Jamune, P.S- Churi, P.S- Chandauti, Distt.- Gaya. At Present R/O Mohalla- Pursaini, Mohan Lal Ganj, Distt.- Lakhnow, P.S- Mohanlalganj, Uttar Pradesh.

... .. Opposite Parties

Appearance :

For the Petitioners : Mr.Aryan Singh, Advocate
For the Opposite Parties : Mr.Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 29-11-2024 Heard learned counsel for the parties. Nobody appears for opposite party no.2.

2. The petitioners apprehend arrest in a case registered for the offence under Sections 420, 467, 468, 471/34 of the Indian Penal Code.

3. It is alleged that on the basis of forged registered sale deed, co-accused Jitendra Mishra transferred 78.13 decimal land at Village Churi and 64.5 decimal alongwith the building situated at Village Bahadur Bigha of the informant in favour of the petitioner and his wife as well as in favour of his nephew Rakesh Mishra on 11.01.2023.

4. It is submitted on behalf of petitioners that accused persons are own Gotiya of the informant and co-accused Jitendra Mishra was holding the power of Attorney from Smt. Meera Mishra and was directed by informant's sister to sell the property. Petitioners are bona fide purchaser of the land. At best, it is a case of the civil dispute. Co-accused, with similar



allegation, has already been allowed pre-arrest bail by this Court vide order passed in Cr.Mis.No.11609/2024. Petitioners have got no concern with the said transaction and they have got clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Gaya in connection with Civil Lines P.S. Case No. 60 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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