

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16249 of 2023

Arising Out of PS. Case No.-1224 Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. Jalo Singh Son of Late Jangal Singh, R/O Vill.- Hanspur, P.S.- Nayagaown, Distt.- Begusarai.
 2. Gopal Kumar @ Gopal Singh Son Of Jalo Singh, R/O Vill.- Hanspur, P.S.- Nayagaown, Distt.- Begusarai.
 3. Bhawani Devi Wife Of Jalo Singh, R/O Vill.- Hanspur, P.S.- Nayagaown, Distt.- Begusarai.
 4. Dharendra Kumar Son Of Ram Tirath Prasad Singh, Vill Hanspur Ps Nayagaown, Dist Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sri Mati Manju Devi Wife Of Naresh Singh, R/O Vill.- Hanspur, P.S.- Nayagaown, Distt.- Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 07-03-2024 Heard Mr. Shubhesh Pandey, the learned counsel

for the petitioners and Mr. Ram Bilash Roy Raman, the learned

Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in

connection with Complaint Case No. 1224 of 2018, registered

for the offences punishable under Sections 420, 467, 468, 471

and 120(B) of the Indian Penal Code.

3. According to prosecution case, the petitioners



cheated the informant and her husband by making him sign on a plain paper and then converting the same into a sale-deed in favour of the petitioner no. 3.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case and as per allegation in the FIR, the petitioners have taken a sign upon a plain paper and converted it into a sale-deed in favour of the petitioner no. 3. He further submits that on the same set of land in question, a title suit has been filed of behalf of the husband of the complainant bearing title suit no. 12 of 2020, which is pending for the consideration before the competent Court of law and in fact, after receiving considerable amount, the complainant has executed a sale-deed in favour of petitioner no. 3.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners and submits that petitioner no. 1 has taken a thumb impression on a plain paper and converted it into a sale-deed in favour of the petitioner no. 3.

6. Considering the aforesaid facts and circumstances and the fact that the petitioners have clean antecedent and the land in question is also the subject matter of the title suit no. 12



of 2020, which is pending for the consideration, let the petitioners, above-named, in the event of their arrest or surrender before the Court below, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Begusarai, where the case is pending in connection with **Complaint Case No. 1224 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(ii). If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii). And further condition that the Court below shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that the petitioners have concealed



their criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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