

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16771 of 2024

Arising Out of PS. Case No.-205 Year-2023 Thana- RAJEPUR District- East Champaran

1. Mulahi Ray Son Of Khakhanu Rai Resident Of Village- Balbhadrapur, Tola Hanuman Nagar, Ps- Rajepur, Distt- East Champaran Motihari
2. Savitri Devi Wife Of Satya Narayan Ray Resident Of Village- Balbhadrapur, Tola Hanuman Nagar, Ps- Rajepur, Distt- East Champaran Motihari
3. Satya Narayan Ray Son Of Chulhai Ray Resident Of Village- Balbhadrapur, Tola Hanuman Nagar, Ps- Rajepur, Distt- East Champaran Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv.
For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 22-03-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioners seek permission to correct the name of police station mentioned in the cause of title of the bail petition, during course of the day. Permission is granted.

3. The petitioners apprehend their arrest in connection with Rajepur P.S. Case No. 205 of 2023, instituted for the offence punishable under Sections 120B, 420, 467 468 and 471 of the Indian Penal Code.

4. The case of prosecution, in short, is that accused



persons having entered into criminal conspiracy have executed a deed regarding the land, *Jamabandi* of which stands in the name of informant's father, after creating false and fabricated document.

5. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that petitioner Nos.1 and 3 are the vendors of the sale deed dated 25-04-2022 whereas, petitioner No.2 is the purchaser of land. The present FIR has been lodged against the vendors, vendee, identifier and deed writer. It is next submitted that petitioner Nos. 1 and 3 are the real owner of the land, who sold their land to petitioner No.2, namely, Savitri Devi, on whose favor *Jamabandi* was also created (Annexure-3). It is further submitted that the dispute between the parties is predominantly civil in nature. Lastly, it is submitted that petitioners have no criminal antecedent.

6. Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Rajepur P.S. Case



No. 205 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM Motihari, East Champaran, or appropriate Court below, subject to condition as laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

(Khatim Reza, J)

shyambihari/-

U		T	
---	--	---	--

