

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20350 of 2024**

Arising Out of PS. Case No.-767 Year-2023 Thana- MOTIHARI TOWN District- East  
Champaran

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1. ABHISHEK THAKUR @ ABHISHEK KUMAR SON OF BAIDYANATH THAKUR R/O-SAROTTAR, P.S.-HARSIDHI, DISTT.-EAST CHAMPARAN
  2. BITTU KUMAR @ SATYAM KUMAR SON OF ABHISHEK KUMAR R/O-SAROTTAR, P.S.-HARSIDHI, DISTT.-EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Singh  
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      09-07-2024                      Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 420, 465, 467, 468, 471, 34 of the Indian Penal Code.

3. As per the prosecution case, this petitioners executed a sale deed dated 17.01.2023 in favour of respondent in respect of 1 dhur land bearing Khata No.533 and Khesra No.4516. Thereafter, informant applied for loan before the Bank with a view to construct other floor on the said land but bank authority demanded mother deed of the land. The complainant demanded mother deed from the petitioner but they refused to hand over the same and thus the petitioner cheated the informant.

4. Learned counsel for the petitioners submits that both



the parties are agnates. Petitioner No.1 is the cousin brother of the informant and petitioner No.2 is son of petitioner No.1. He further submits that on 17.01.2023, the informant had executed a registered sale deed in favour of accused person with respect to 5 dhur of land and on the same date accused persons had executed a registered sale deed in favour of the informant with respect to 8 dhur of the land. With the consent of both the parties, the land have been exchanged between them and as such no offence under Section 420, 467, 468 of IPC is made out. Moreover the dispute is of civil nature and no criminal offence is made out against the petitioners.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest or surrender within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (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 Motihari Town P.S. Case No. 767 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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