

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27106 of 2024

Arising Out of PS. Case No.-251 Year-2019 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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1. Akhilesh Paswan Son Of Jagjivan Paswan Resident Of Village- Pakri Ara Post- Ara, Ps- Nawada, Dist- Bhojpur
 2. Manoj Kumar Son Of Durgesh Ram Resident Of Village- Chokipur, Post- Chandwa, Ps- Udawantnagar, Dist- Bhojpur
 3. Shiv Ishwar @ Nilesh @ Lilesh Son Of Ramjanam Paswan Resident Of Village- Chokipur, Post- Chandwa, Ps- Udawantnagar, Dist- Bhojpur
- Petitioner/s

Versus

1. The State of Bihar
 2. Shiv Shankar Paswan Son Of Lalji Paswan Resident Of Village- Chokipur, Post- Chandwa, Ps- Udawantnagar, Dist- Bhojpur
- Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Priya, Advocate
For the State	:	Mr. Shyam Kumar Singh, APP
For the O.P. No. 2	:	Mr. Bhavesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State as well as learned counsel for the complainant.

2. The petitioners apprehend arrest in connection with Complaint Case No. 251 C of 2019 dated 14.02.2019 instituted for the offence punishable under Section 419, 420, 467, 468, 471, 120B the Indian Penal Code.

3. The prosecution case, in short, is that the petitioners told the complainant to become a witness in registry office for registration of sale deed. When the complainant went to the registry office, the petitioners got the land of the complainant



registered fraudulently without payment of consideration money. After knowing the truth, the complainant went to the petitioners to complain, but they threatened to kill him.

4. Learned counsel for the petitioner submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that petitioner no. 1, namely, Akhilesh Paswan is the purchaser of the land after paying valuable consideration money. Petitioner no. 2, namely, Manoj Kumar is the identifier to the said sale deed and petitioner no. 3, namely, Shiv Ishwar is the witness to the sale deed. Learned counsel for the petitioners submits that the complainant has also filed Title Suit No. 341 of 2019 against the petitioners and others for cancellation of sale deed dated 13.10.2018 which was executed in favour of petitioner no. 1. Learned counsel for the petitioners further submits that the present case is purely civil in nature. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. On the other hand, learned A.P.P. for the State and learned counsel for complainant have vehemently opposed the prayer for anticipatory bail of the petitioners. Learned counsel for the informant submits that agreement to sale deed dated 12.10.2018 and sale deed executed on 13.10.2018 are forged one. Petitioners have not given full consideration money for registration of complainant's land which was executed



fraudulently.

6. 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 Complaint Case No. 251 C of 2019, they will be released on 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 Judicial Magistrate, Bhojpur at Ara subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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