

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25049 of 2024

Arising Out of PS. Case No.-751 Year-2021 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Sunil Kumar Sinha Son of Late Mahavir Prasad Resident of Mohalla-
Golaghat, Police Station- Kotwali, District- Bhaggalpur, but presently
Resident of Purba Bisalaxmi Tala, Chandan Nagar, Khalisani, Hooghly, West
Bengal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sukhdeo Prasad Sah Son of Late Parmeshwar Prasad Sah Resident of
Village/Mohalla- Mundichack, P.S. Kotwali, District- Bhagalpur. At
Presently Resident of Bhudarmal Lane, Sonapatti P.S. Kotwali, District-
Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr.Adv. Mr. Arjun Prasad, Adv.
For the Opposite Party/s :		Mr. Umeshanand Pandit,A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-03-2024 Heard learned counsel for the Mr. Krishna Prasad

Singh, learned senior counsel appearing on behalf of petitioner
and Mr. Umeshanand Pandit, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 420, 467,
468, 471 and 120(B) of the Indian Penal Code.

3. As per the complaint, all the accused persons
including this petitioner, after hatching a conspiracy, got
executed a forged sale-deed in favour of Sunita Agrawal and
Ajit Kumar Agrawal.



4. Learned counsel for the petitioner submits that the land in question was sold by this petitioner on 14.09.2019 to Sunita Agrawal and Ajit Kumar Agarwal, vide deed no. 11505 and 11506 respectively and the present complaint has been filed on 16.06.2021 i.e. after a delay of almost 21 months. As a matter of fact, this petitioner and his father purchased the aforesaid land from original land owner Bibi Hushna Khatoon, vide deed no. 11131 and 11132 dated 11.11.1997. After the purchase of aforesaid land, the petitioner came in possession of the said land and said land was also mutated in his favour. He further submits that the complainant claims to have purchased the said land from one Babu Lal Yadav, to whom, this petitioner gave power of attorney, but neither petitioner gave any power of attorney to Babu Lal Yadav nor Babu Lal Yadav executed any sale-deed in favour of the complainant and others. Moreover, the dispute is purely of a civil nature. Similarly situated co-accused Surendra Kumar Sahay has already been granted anticipatory bail by this Court, vide order dated 13.03.2023 passed in Cr.Misc. No. 43934 of 2022. Petitioner claims clean antecedent.

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



6. Considering the aforesaid facts and circumstances as well as nature of accusation and clean antecedent, the prayer for anticipatory bail of petitioner is allowed. Let the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from today, is directed to 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 the learned Chief Judicial Magistrate, Bhagalpur in connection with Complaint Case No. 751 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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