

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33752 of 2024

Arising Out of PS. Case No.-146 Year-2023 Thana- VISHAMBHARPUR District- Gopalganj

1.

Jitendra Kumar Asthana S/o Late Ratneshwar Prasad Asthana R/o vill - Binod Matihiniya, P.S. - Vishambharpur, Dist. - Gopalganj
2.

Rajendra Kumar @ Dharmendra Kumar @ Dharmendra @ Dharmendra Kumar Asthana S/o Late Ratneshwar Prasad Asthana R/o vill - Binod Matihiniya, P.S. - Vishambharpur, Dist. - Gopalganj
3.

Seema Devi W/o Late Birendra Kumar Asthana R/o vill - Binod Matihiniya, P.S. - Vishambharpur, Dist. - Gopalganj
4.

Upendra Kumar Sinha S/o Late Ratneshwar Prasad Asthana R/o vill - Binod Matihiniya, P.S. - Vishambharpur, Dist. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anirudh Kr. Verma, Advocate Mr.Vyas Kumar Mishra, Advocate
For the Informant	:	Mr. Chandra Kant, Advocate Mr. Sudhanshu Prakash, Advocate Mr. Navin Kumar, Advocate
For the State	:	Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3

25-09-2024

1.

Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

2.

This application, for grant of anticipatory bail, arises out of Vishambharpur Police Station Case No. 146 of 2023, dated 04.08.2023, disclosing offences punishable under Sections 420/467/468/34 of the Indian Penal Code.

3.

As per the prosecution case, piece of land, appertaining to Khata No. 38, Plot No. 1526, Area 12 katha 2 dhur,



recorded is in the name of grandfather of the informant, has been sold by the petitioners fraudulently showing the land as their own land.

4. Learned counsel for the petitioners submit that the petitioners have falsely been implicated in this case and the land, in question, belongs to the petitioners, for which Title Suit No. 525 of 2021 has been filed by the informant, in which the petitioners and others are defendants. The petitioners are also claiming their right, title and interest upon the said land.
5. On the other hand, learned counsel for the informant submits that the petitioners fraudulently sold the land in question in favour of one Kanti Devi by forgery and despite the status quo order granted in the title suit.
6. Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that title suit for the subject land is still pending and as per the informant, the petitioners have violated the order of status quo granted in the title suit, I am inclined to grant the petitioners privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioners, above named, in the event of their



arrest or surrender before the Court below within four weeks, be released 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 Additional Chief Judicial Magistrate-IV, Gopalganj, in connection with Vishambharpur Police Station Case No. 146 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

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