

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33633 of 2024

Arising Out of PS. Case No.-921 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

1. Gorakh Nath Singh @ Gorkh Singh SON OF LATE SHIVLOCHAN SINGH R/O- VILL- AMWARI, P.S- MOHANIA, DISTT- KAIMUR(BHABHUA)
2. BRAJESH SINGH SON OF GORAKH Nath SINGH @ Gorakh Singh R/O- VILL- AMWARI, P.S- MOHANIA, DISTT- KAIMUR(BHABHUA)
3. DHIRENDRA SINGH SON OF GORAKH SINGH R/O- VILL- AMWARI, P.S- MOHANIA, DISTT- KAIMUR(BHABHUA)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Kumari, w/o Binod Singh, Resident of Village Damodarpur, P.S. Bhabhua (Kaimur), District Bhabua

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 20-11-2024 1. Heard learned counsel for the petitioners, Mr. Chandra Bhushan Prasad learned A.P.P. for the State and learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 467, 468, 384, 386, 504, 506 and 120(B) of the Indian Penal Code.

3. Learned counsel for the petitioners submits that in sum and substance, the informant alleges that she had purchased three decimal of land from petitioner no. 1 as detailed in the FIR and when she went for getting the boundary constructed, the



same was objected by some persons (whose name has not been disclosed in the FIR) that the land was sold to them by the petitioner no. 1 in the year 2005.

4. Learned counsel for the petitioners submits that after purchasing the land, the informant got the land mutated in her name. It is further submitted that had those persons whose name has not been disclosed in the FIR purchased the land from the petitioner no. 1 in the year 2005 in that event the land would not have been mutated in the name of the informant. It is next submitted that the plot in question has 56 decimal of land out of which the petitioner no. 1 has sold to several persons. It is further submitted that petitioners do not intend to contest the case and is ready and willing to execute another sale deed with respect to three decimal of land in favour of the informant within a period of two months from today on which learned counsel appearing on behalf of the informant submits that if a fresh sale deed is executed within a period of two months from today by the petitioners in favour of the informant in that event the informant shall not pursue the case any further.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned



counsel for the parties, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Mohania P.S. Case No. 921 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, the informant would be at liberty to file an application seeking cancellation of the anticipatory bail granted to the petitioners if a fresh sale deed with respect to three decimal of land is not executed in favour of the informant within a period of two months from today.

(Satyavrat Verma, J)

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