

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39008 of 2024

Arising Out of PS. Case No.-6835 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Ram Kumar Singh (R.K. Singh) son of Shiv Kumar Singh R/o - Rupas
Bakhtiyarpur, Kaladiara, P.S.- Bakhtiyarpur, Patna (Bihar), Patna-803202

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pankaj Kumar Son of Shri Chandra Bhushan Sharma R/o Mohalla-
Hanuman Nagar, White House, House No. 9, P.S.- Patkar Nagar, Town-7,
District- Patna, Patna-800020

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivnandan Prasad Singh, Advocate
For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 13-12-2024 Heard Mr. Shivnandan Prasad Singh, learned counsel

appearing on behalf of the petitioner and Mr. Mithilesh Kumar

Khare, learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with

Complaint Case No.6835(C)/2022 registered for the offences

punishable under Sections 406, 420, 468 and 471/34 of the

Indian Penal Code.

3. As per the allegation made in the complaint

petition, a negotiation to sell 6 katha of land, appertaining to

Tauji No.6398, Khata No.10, Survey Plot No.1342, situated at

Mauja Jujharpur, Survey Thana, Phulwarisharif, present P.S.

Gaurichak, Patna, was made between the complainant and Bihar



Rehabilitation and Welfare Institute (hereinafter to be referred as the “Institute”). The land in dispute is alleged to have been sold by registered sale deed No.5382 dated 02.06.2006 in the name of the Institute through Dr. Sarjoo Prasad, the Director of the Institute by Rewat Narayan Singh. The said piece of land was thereafter sold to the complainant by the Institute, who had authorized to one Vandana Sinha to execute the sale-deed in favour of the complainant and the said sale-deed No.5974 dated 11.06.2019 was executed in favour of the complainant. The complainant, after execution of the sale-deed, could not come into the possession of the land, for which he has already paid a total sum of consideration amount of Rs.20 lakh to Vandana Sinha, who had executed the sale-deed. It has been found that one Smt. Neelam Devi Jain claims her title over the said land.

4. Learned counsel appearing on behalf of the petitioner informs that the petitioner is nowhere concern with the transaction to the tune of Rs.20 lac along with Rs.4 lac as the cost of the registration of the sale-deed and further a sum of Rs.6 lac as compensation for mental harassment to the complainant. The transaction is between the complainant and several other accused persons. The petitioner is Member of the Committee, namely, Bihar Rehabilitation and Welfare Institute.



Learned counsel further submitted that the petitioner is also not the witness to the sale-deed registered on 11.06.2019 or he had identified the land owner and the witnesses to the sale-deed. He is the Member of the Committee, which has authorized Vandana Sinha to execute the sale-deed. The conscious decision has been taken by the co-accused Sarjoo Prasad @ Dr. Sarjoo Prasad, who has identified the Executor.

5. *Per contra* Mr. Niraj Kumar, learned counsel has tendered his appearance on behalf of the complainant and submitted that the petitioner in a well planned manner, has committed forgery with the complainant by executing sale-deed with respect to the land in dispute. Learned counsel further submitted that the sale-deed was executed by the original land holder, namely, Rewat Narayan Singh and petitioner, being members of the Executive Committee, who had authorized one another member Vandana Sinha to execute the sale-deed. As such, the petitioner has committed crime and he must face prosecution for alleged offences under Sections 406, 420, 467, 468 and 471/34 of the Indian Penal Code.

6. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

7. Having considered the rival submissions made on



behalf of the parties, as well as, considering the nature of allegation made against the petitioner, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned district court within a period of four weeks from today, on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM IX, Patna/concerned court, in connection with Complaint Case No.6835(C) of 2022, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

8. The learned district court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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