

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35200 of 2024

Arising Out of PS. Case No.-147 Year-2016 Thana- SHEOHAR District- Sheohar

1. Sukhdeo Singh Son Of Late Rameshwar Singh Resident Of Village - Maksudpur, Rewasi, P.S. - Riga, District - Sitamarhi
2. Raushan Kumar Son Of Sukhdeo Singh Resident Of Village - Maksudpur, Rewasi, P.S. - Riga, District - Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 406, 420, 120(B), 467, 468, 471, 379, 504 of the Indian Penal Code.

3. It is alleged that these petitioners got the land of grandfather of the informant through mortgage deed and thereafter without redeeming the mortgage, executed the sale deed of the leased land in favour of one Siyaram Singh.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. In fact, with respect to the aforesaid land a title suit is already pending wherein the informant and petitioner No. 1 are defendants which



has been filed by one Most. Kamali Devi for declaration of title and confirmation of possession. Moreover, the dispute involves sale and purchase of land between the parties which is pre-dominantly civil in nature. No acts, as mentioned in the F.I.R., allegedly committed by the petitioners, give rise to any criminal liability. It is further submitted that similarly situated co-accused has already been granted anticipatory bail by this Hon’ble Court *vide* order dated 16.05.2023 passed in Cr. Misc. No. 11151 of 2023.

5. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged 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 Chief Judicial Magistrate, Sheohar in connection with Sheohar P. S. Case No. 147 of 2016, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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