

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44877 of 2024

Arising Out of PS. Case No.-998 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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- 1 . Ajay Kumar S/O Indrajeet Prasad R/O Salarpur, P.S.- Daniyawan, Dist Patna
 2. JADDU PRASAD S/O HAKRAH MAHTON R/O SALARPUR, P.S.-
DANIYAWAN, DIST- PATNA
 - 3 . KAPURI PRASAD S/O HORIL MAHTO R/O SALARPUR, P.S.-
DANIYAWAN, DIST- PATNA

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Shailendra Kumage Son of Sri Dasrath Prasad @ Ram Anugrah Prasad
Resident of Village- Slarpurt, P.S. Daniyawan, Post- Salarpurt, District-
Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tilak Sao, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 26-10-2024 Heard learned counsel for the petitioners and the

State .

2. Petitioners apprehend their arrest in a case
registered for the offence punishable under sections 406, 420,
468 , 471 , 323 , 504 and 120 B of the Indian Penal Code .

3 . As per prosecution case , it is alleged that these
petitioners along with other co-accused persons created forged
receipt and on the basis of same sold the land in question of
complainant in the name of other co-accused persons namely
Kanhaiya lal Singh , Krishna Kumar, Bachhu Kumar.



4. It is submitted on behalf of the petitioners that petitioners have falsely been implicated in this case . He further submitted that name of petitioner No. 1 was rightly mutated and revenue receipts were also rightly issued with respect to khata No. 106, Kheshra No. 815 and as such petitioner No. 1 has rightly sold 27 khata 10 dhur by virtue of sale deed. Moreover, the dispute involved in the present case relates to sale and purchase of land, which is purely civil in nature for which complainant has got alternative remedy in the Court below . None of the acts allegedly committed by these petitioners would give rise to any criminal liability . Petitioners claim clean antecedent.

5. Learned counsel for the State oppose the bail petition.

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within eight weeks from today, let the petitioners, as named above, 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 the learned JM 1st Class- Cum Add. Munsif Patna city in connection with Complaint Case No. 998 of 2022 , of subject to the conditions laid down under section 438(2) of the



Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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