

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40404 of 2024

Arising Out of PS. Case No.-1390 Year-2022 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

-
1. Abhay Kumar S/o Suresh Yadav RESIDENT OF VILLAGE - DEONAR, P.S. - SANDESH, DISTRICT - BHOJPUR
 2. Kamresh Kumar @ Congress Kumar S/o Sidyal Singh @ Shivdayal Singh RESIDENT OF VILLAGE - DEONAR, P.S. - SANDESH, DISTRICT - BHOJPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. Balimiki Singh S/o Late Rampravesh Singh RESIDENT OF VILLAGE - NASRATHPUR, P.S. - SANDESH, DISTRICT - BHOJPUR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Prabhat Kumar Singh, Advocate Ms. Priya, Advocate
For the State	:	Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-07-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a complaint case registered for the offence punishable under Sections 468, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, on 08.04.2022, co-accused Anil Kumar Singh sold the land appertaining to Khata No. 163, 559, Khesra No 864, Area- 4 decimal which belongs to the complainant by impersonating him, though registered sale deed and these petitioners were witnesses to the aforesaid sale deed.

4. It is submitted by learned counsel appearing on



behalf of the petitioners that these petitioners are neither seller nor beneficiary of the alleged sale deed in question. They are only alleged to be witnesses of the sale deed. From bare perusal of the complaint petition it is apparent that it is co-accused Anil Kumar Singh who impersonated complainant Balmiki Singh and who is alleged to have sold the land in question. Moreover, none of the acts allegedly committed by these petitioners would amount to any criminal liability. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners 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 learned IInd Additional Sessions Judge, Bhojpur at Ara, in connection with Complaint Case No. 1390(c) of 2022, subject to condition as laid down



under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

