

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44005 of 2024

Arising Out of PS. Case No.-266 Year-2023 Thana- ITARHI District- Buxar

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1. Nirasha Devi Wife of Late Ramji Yadav R/O Vill.- Tari Ghat, P.S.- Suhawal, Dist.- Gazipur, UP
 2. Surendra Singh Son of Late Rajnath Singh R/O Vill.- Chilbila, P.S.- Itarhi, Dist.- Buxar
 3. Ram Sagar Singh Son of Jagdev Singh @ Jagardeo Singh R/O Vill.- Tari Ghat, P.S.- Suhawal, Dist.- Gazipur, UP

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyapal Singh, Adv.
For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Itarhi P.S. Case No. 266 of 2023 dated 01.12.2023, instituted for the offence punishable under Sections 420, 120(B), 467, and 468 of the Indian Penal Code.

3. The informant has alleged that his younger daughter Nirasha Devi (petitioner no. 1) executed a sale deed on 30.06.2023 to one Surendra Singh (petitioner no. 2) in connivance with him by showing that the informant is dead and Ram Sagar Singh (petitioner no. 3) has put his signature upon



the same as witness.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that petitioner no. 1 is vendor of the sale deed dated 30.06.2023 (Annexure-2), who executed sale deed in favour of Surendra Singh (petitioner no.2), who is purchaser by paying consideration money and petitioner no. 3 is witness to the sale deed. It is submitted that informant is the father of petitioner no. 1. The allegation against the petitioner no. 1 is that she sold the property of his father (informant). It is further submitted that the property in question is ancestral property of the family in which petitioner no. 1 has one-third share. There is civil dispute between the parties. Petitioner no. 1 also filed a Title Suit No. 572 of 2023 against the informant and his vendee Madhuri Devi in which suit, the present informant sold the share of his daughters. It is submitted that after execution of sale deed by petitioner no. 1, the entire land of the family was sold by her father on 19.06.2023 in favour of Madhuri Devi. Lastly, it has been submitted that they have no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Itarhi P.S. Case No. 266 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Buxar, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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