

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41596 of 2024

Arising Out of PS. Case No.-2747 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

1. Sanjay Rai Son Of Late Tapsi Rai Resident Of Saraiya, P.S- Kotwa, District- East Champaran.
2. Indu Devi Wife Of Mohan Rai Resident Of Saraiya, P.S- Kotwa, District- East Champaran.
3. Mohan Rai Son Of Bhadai Rai Resident Of Saraiya, P.S- Kotwa, District- East Champaran.
4. Susil Singh Son Of Late Jaimangal Singh Resident Of Saraiya, P.S- Kotwa, District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Manoj Singh Son Of Rajballabh Singh Resident Of Vill- Saraiya, P.S- Kotwa, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the State : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-07-2024 1. Heard learned counsel for the petitioners and the
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Complaint Case No. 2747 of 2022 registered for the offence(s) punishable under Section(s) 420, 406, 323, 504, 506/ 34 of the Indian Penal Code.

3. Mr. Abhishek Kumar, the learned counsel for the petitioners submits that the main allegation of transferring the land of the complainant (O.P. No.2) is against co-accused Bittu



Singh and the alleged land is said to have been transferred in favour of petitioner Indu Devi, so she is the purchaser of the said land and the petitioner Sanjay Rai is witness and the petitioner Sushil Singh is identifier and the petitioner Mohan Rai is husband of Indu Devi. It is further submitted that if the alleged wrong is believed to be true even then no offence is attracted against the petitioners rather the petitioner Indu Devi should be deemed to be sufferer as believing the co-accused Bittu Singh, the said petitioners entered into transaction and there was reason for believing the co-accused in respect of his title in the land in question as he is a co-sharer of the complainant and both come from same genealogy. It is further submitted that the petitioners have fair and clean antecedent.

4. Mr. Narendra Kumar Singh, learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Considering the above submissions and mainly the nature of allegation appearing against these petitioners, the nature of involvement of the petitioners in the alleged execution of the sale deed and coupled with the fair and clean antecedent of the petitioners, this court is inclined to accept the anticipatory bail prayer of the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the



learned trial court within a period of six weeks from today, be released on anticipatory bail in connection with Complaint Case No. 2747 of 2022 on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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