

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48888 of 2024

Arising Out of PS. Case No.-220 Year-2023 Thana- ALAMNAGAR District- Madhepura

1. Sunil Kumar Suman Son Of Chandra Kishor Gupta @ Nand Kishor Gupta Resident Of Village - Alam Nagar, P.S. - Alam Nagar, District - Madhepura
2. Gauri Shankar Chaudhary Son Of Late Ramashray Chaudhary Resident Of Village - Alam Nagar, P.S. - Alam Nagar, District - Madhepura
3. Bablu Mandal Son Of Late Chhabbu Mandal Resident Of Village - Alam Nagar, P.S. - Alam Nagar, District - Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Adv.

For the Opposite Party/s : Mrs.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Alamnagar P.S. Case No. 220 of 2023 dated 28-07-2023
instituted for the offence punishable under Section 420,467,468,
471 and 34 of the IPC.

3. As per allegation in the FIR co-accused, namely
Pankaj Sharma used to write the name of his father somewhere
as “Tarni Sharma” and somewhere as “Kailash Sharma” and
taking the aid of the same in the sale deed dated 22.05.2023, the
co-accused mentioned the name of his father as “late Tarni



Sharma @ Kailash Sharma” and executed the sale deed, wherein, the name of the co-accused, namely Pankaj Sharma has been mentioned as vendor. It is further alleged that Tarni Sharma and Kailash Sharma were the full brothers. It is further alleged that the during the course of sale of land, photograph of the vendor and vendee was taken on the vacant land, whereas, the land which was sold by the co-accused, namely Pankaj Sharma was an orchard full of bamboo clumps and other trees and in this way, petitioners including co-accused persons, after hatching conspiracy, changed the nature of the land have sold the land and thereby caused loss of revenue to the government.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have been falsely implicated in this case. It is submitted that petitioner No. 3 is purchaser from Pankaj Sharma whereas, petitioner Nos. 1 and 2 are witness to the sale deed executed in favour of petitioner No.3. It is submitted that Pankaj Sharma, who is the rightful owner of the land in dispute, has been granted anticipatory bail by this Court *vide* order dated 08-05-2024, passed in Cr. Misc. No. 778 of 2024 (Annexure-5). It is further submitted that informant is a stranger to the sale deed dated 22-05-2023 executed by co-accused, namely, Pankaj Sharma in favour of Babloo Mandal



(petitioner No.3). Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

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 Alamnagar P.S. Case No. 220 of 2023, they will be released on 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 JM 1st Class, Udakishunganj, Dist. Madhepura, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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