

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55101 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- DHANAHA District- West Champaran

1. Yogendra Kushwaha @ Yogendra Mahato Son of Late Bikram Mahato Village- Ghusri Barwa, PS- Dhanaha, Distt.- West Champaran
2. Brikhvan Yadav @ Brikhsvan Yadav Son Of Late Banshi Yadav Village- Ghusri Barwa, Ps- Dhanaha, Distt.- West Champaran
3. Birender Gupta @ Virendra Gupta Son Of Durga Sah Village- Rupahi Ghaghwa, Ps- Dhanaha, Distt.- West Champaran
4. Harendar Yadav Son Of Late Mishri Yadav Village- Dhaghawa Barwa, Ps- Dhanaha, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Perna Anand, Advocate
For the Opposite Party/s :	Mr. Sanjay Kumar Pandey, APP
	Mr. Suresh Prasad Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-09-2024 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 120(B), 420, 467, 468, 471, 354, 504, 323 of the Indian Penal Code.

3. As per prosecution case, all the accused persons including these petitioners, under a well-planned conspiracy, have executed nine forged sale-deeds of the informant's land by impersonating a different lady in place of informant.

4. Learned counsel for the petitioners submits that



petitioners have been falsely implicated in this case due to property dispute. From bare perusal of the complaint petition, it is apparent that a partition suit, bearing no. 160 of 2019, is pending in the court of learned Sub-Judge, Bagaha between the complainant/informant and co-accused Indu Devi, who is none else but step sister of the complainant. Learned counsel further submits that petitioner nos. 1, 2 and 3 are *bona-fide* purchasers of the land, whereas petitioner no. 4 is identifier of the land in question. At best, it is case of civil dispute, for which, complainant has got alternative remedy. Similarly situated co-accused persons have already been extended the privilege of anticipatory bail by this Court, vide order dated 03.09.2024 passed in Cr.Misc. No. 52386 of 2024.

5. Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of petitioners.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of **Rs. 10,000/-** (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bagaha,



West Champaran in connection with Dhanaha P.S. Case No. 23
of 2024, subject to condition as laid down under Section 438(2)
of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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