

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58966 of 2024

Arising Out of PS. Case No.-39 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

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1. Samprabha Thakur @ Samprabhu Thakur Son of Late Ramnarayan Thakur Resident of Village - Sarotar, P.S. - Dumariyaghat, District - East champaran
 2. Raj Kishore Thakur @ Rajki Thakur Son of Rakat Thakur Resident of Village - Sarotar, P.S. - Dumariyaghat, District - East champaran
 3. Sima Devi Wife of Samprabha Thakur @ Samprabhu Thakur Resident of Village - Sarotar, P.S. - Dumariyaghat, District - East champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar
For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-10-2024 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 420, 467,
468, 471, 384, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the
petitioner No. 1 has antecedent of two cases, Petitioner No. 2
has antecedent of four cases and petitioner No. 3 has antecedent
of one case. It is next submitted that a purely civil dispute has
been given a criminal colour. It is next submitted that in sum
and substance, the informant alleges that Shanti Devi on 9-2-



2021 had transferred the land in dispute in favour of the informant and Rahul (brother-in-law of the informant), but the accused persons including the petitioners got the land sold in favour of the purchasers by a fictitious person Sudama Thakur.

4. Learned counsel for the petitioners submits that Petitioner No. 1 is alleged to have conspired along with other co-accused persons and got the land sold in favour of his wife, Sima Devi (Petitioner No. 3) by a registered sale deed executed by Sudama Thakur on which Raj Kishore Thakur (Petitioner No. 2) is a witness. Learned counsel next submits that the land in question belongs to Sudama Thakur and he being the land owner had sold the land in favour of different purchasers. It is further submitted that Sudama Thakur has also filed a complaint case being Complaint Case No. 81 of 2023 in the court of learned Chief Judicial Magistrate, East Champaran at Motihari against the informant and others. It is further submitted that if the land in question belongs to informant in that event informant has remedy of approaching the court of competent civil jurisdiction for getting sale deed cancelled.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned



counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Town P.S. Case No. 39 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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