

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 57484 of 2024

Arising Out of PS. Case No.-7773 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Baijanti Kumari Ramjee Singh R/V- Village- Darveshpur, P.S.- Maner, District- Patna
 2. Rakesh Kumar Son of Rampati Singh R/V- Village- Hasanpur, P.S.- Beur, Distt.- Patna
 3. Anurodh Kumar So of Shri Shyam Nandan Singh Resident of Saristabad (East), P.S.- Gardanibagh, Distt.- Patna
 4. Ram Bhavan Singh Son of Late Naval Kishore Singh Resident of Village- Paithani, Nathupur, P.S.- Beur, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Anil Kumar Pandey Son of Late Binda Pandey @ Binda Sharma Resident of Sheikhpura, P.S.- Airport Patna, Distt.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishan Prasad Singh
For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-09-2024 1. Heard learned senior counsel for the petitioners Mr. Krishna Prasad Singh and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 420, 467, 468, 472, 120B of the Indian Penal Code.
3. The learned senior counsel for the petitioners submit that the petitioner nos. 1, 2 and 3 are persons with clean antecedent and petitioner no. 4 has antecedent of two cases and the complainant alleges that Binda Pandey (father of the



complainant) and Parmeshwar Pandey jointly purchased land through registered sale deed, after the death of Binda Pandey, in 2003, Parmeshwar Pandey kept all the original documents with himself, further Parmeshwar Pandey also died in the year 2017. It is next alleged that while the documents were with Parmeshwar Pandey when the sons of Parmeshwar Pandey solds the joint property to various purchasers without the knowledge or consent of the complainant and when the complainant visited the land, he discovered that it has been fenced of by the accused persons thus alleges that the accused persons including the petitioners connive to grab his land by creating forged document, causing him loss of approximately Rs. 1 Crore.

4. The learned Senior counsel for the petitioners submit that petitioners have been falsely implicated in the instant case being purchaser of the land in question and identifier on the sale deed in question. It is next submitted that petitioner nos. 1 and 2 purchased the land in question from Amarnath Pandey Son of Parmeshwar Pandey by a sale deed executed in the year 2022. It is further submitted that it is not in dispute that Parmeshwar Pandey and Binda Pandey were brothers. It is also submitted that if a dispute has arisen in the family, that in no way can connect the petitioners with the



offence that the petitioners after hatching a criminal conspiracy purchased the land in question. It is next submitted that petitioner nos. 3 and 4 are witnesses on the sale deeds executed by Amarnath Pandey in favour of petitioner nos. 1 and 2 and Sushila Devi and Kaushalya Devi who are not petitioners in the instant anticipatory bail application.

5. The learned senior counsel appearing on behalf of the petitioners further submit that at Title Suit No. 493 of 2023 is pending adjudication in the court of learned Sub-Judge 1, Patna in which Anil Pandey (complainant, Son of Binda Pandey) is the plaintiff and the family member of Parmeshwar Pandey and the purchaser are impleaded as defendants.

6. It is also submitted that in the event, if the title suit is dismissed, then whether it would be prudent for the Court to send the petitioners to jail at this stage.

7. The learned APP for the State opposes the anticipatory bail application.

8. 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 Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000 /-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Ms. Priyanka Yadav, learned J.M. 1st Class, Patna in connection with Complaint Case No, 7773 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

9. The application stands allowed.

(Satyavrat Verma, J)

Sudhanshu/-

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