

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57733 of 2023

Arising Out of PS. Case No.-497 Year-2023 Thana- PHULWARISHARIF District- Patna

1. Ajay Kumar Son Of Sri Shatrudhan Rai Village- Simra Ps- Phulwarisharif Dist- Patna
2. Rakesh Kant Son Of Sri Naresh Ram Village- Bhusasula Danapur Ps- Phulwarisharif Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 58918 of 2023

Arising Out of PS. Case No.-497 Year-2023 Thana- PHULWARISHARIF District- Patna

Kundan Kumar S/O Sri Sushil Ram R/O Village- Bhusasula Danapur, Ps. Phulwarisharif, Dist. Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 57733 of 2023)

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mrs. Vaishnavi Singh, Adv.

For the State : Mr. Binod Kumar, APP

For the Informant : Mr. N.K. Agrawal, Sr. Adv.

(In CRIMINAL MISCELLANEOUS No. 58918 of 2023)

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mrs. Vaishnavi Singh, Adv.

For the State : Mr. Binod Kumar, APP

For the Informant : Mr. N.K. Agrawal, Sr. Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

12 12-07-2024 As both these bail applications have cropped up from

the same police station case number, hence, with consent of

parties, they are being heard together and disposed of by this

common order.



2. Heard learned counsel for the petitioners, learned A.P.P. for the State and learned Senior Counsel for the informant.

3. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 506, 406, 420, 467, 468, 120(B) of the Indian Penal Code.

4. As per the prosecution case, the petitioners along with other co-accused persons, after preparing the forged documents, got the sale deed of the land of the informant executed in collusion with the staff of the Registration office.

5. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the petitioners have paid Rs.97 lakhs to the informant for execution of sale deed. He further submits that, in reply to the counter affidavit, all details of payments made to the informant are enclosed as Annexures- 3 and 4. He also submits that the informant has filed a Title Suit No. 263/2023 before the concerned Court regarding cancellation of the execution of the sale deed. Petitioners have no criminal antecedent as mentioned in para-3 of this application.



6. Learned APP for the State and learned Senior Counsel for the informant opposed the prayer for anticipatory bail and submitted that the informant has not received any amount from the petitioners and further submitted that it is admitted fact that after inquiry it is found that the documents were forged as there were no signature of the informant in the sale deed.

7. Having regard to the facts and circumstances of the case and it is civil dispute between the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Phulwarisharif P.S. Case No.497 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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