

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60170 of 2023**

Arising Out of PS. Case No.-559 Year-2017 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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1. Tarni Prasad Yadav Son Of Late Bhola Yadav Village- Khajuri Ps- Sour Bazar Dist- Saharsa
 2. Pragas Yadav @ Prakash Yadav Son Of Late Bhola Yadav Village- Khajuri Ps- Sour Bazar Dist- Saharsa

... .. Petitioners

Versus

1. The State of Bihar
2. Bachneshwar Yadav Son Of Late Dorik Yadav Village- Khajuri, Ps- Saur Bazar, Dist- Saharsa

... .. Opposite Parties

Appearance :

For the Petitioners : Mr.Pramod Mishra, Advocate
For the Opposite Parties : Mr.Dinesh Singh, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 25-06-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 379, 420, 467, 468, 471/34 Pand other ancillary sections of the Indian Penal Code.

3. As per the prosecution case, co-accused Raso Yadav and petitioner no.1 are own brothers. Said co-accused Raso Yadav received cash of Rs. 1,20,000/- from opposite party no.2 on account of land being registered by him but petitioners no. 1, 2, co-accused Papu Kumar prepared a deed, sold the land to co-accused Rajeshwar Yadav, Mahendra Yadav and Surendra Yadav vide sale deed no. 3211 dated 03.07.2017. Thus these petitioners cheated committed forgery with opposite party no.2.

4. It is submitted on behalf of the petitioners that these petitioners have falsely been implicated in this case due to grudge and pending land dispute. Petitioners never received any



money from the complainant that they have nothing to do with the affairs of their brother namely Rasho Yadav and the complainant namely Bachneshwar Yadav of this present complaint case. Petitioners have sold only their portion of land out of joint house property. It is further submitted that the dispute is purely of civil nature for which title suit bearing Title Suit No. 283/2017 is pending between the parties. Petitioners claim clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Saharsa in Complaint Case No. 559C/2017, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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