

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60382 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- Panapur District- Muzaffarpur

1.

Jitendra Kumar Chaudhary @ Jitendra Kr. Chaudhary S/o- Late Ram Smarath Singh @ Ram Smarth Chaudhary
2.

Arun Kumar Pandey @ Arun Kumar Singh Son of Late Ramekwal Pandey @ Ram Naresh Pandey
Both Resident of Village- Manifulkaha Police Station- Panapur Kariyat District-Muzaffarpur
3.

Arbind Kumar son of Ravindra Prasad Singh Resident of Village- Singar Fulkahan PS- Panapur Kariyat Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Pandey, Advocate
For the State	:	Mr. Bharat Bhushan, APP
For the Informant	:	Mr. Manish Kumar, Advocate Mr. Indrajeet Bhushan, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-09-2024

1. Heard learned counsel for the parties.

2. The petitioners in this application pray for bail apprehending their arrest in connection with Panapur Kariyat P.S. Case no.8 of 2024 registered for the offence punishable under sections 420, 406, 467, 468, 471 and 120B of the Indian Penal Code.

3. As per the prosecution case, the informant states that the accused persons including the petitioners herein got a forged registered sale deed executed on 22.11.2022 wherein the identifier and the witness to the sale deed were petitioner nos.2



and 3. It is stated that without the informant being present, the petitioner no.1 got the said forgery committed by impersonation.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. From perusal of the contents of the complaint which led to registration of the FIR, it would transpire that the dispute, if any, between the parties is purely civil in nature. While in the complaint, the allegation is of impersonation, the informant subsequently filed Title Suit no.296 of 2024 in the Court of learned Sub Judge I (West), Muzaffarpur to declare the said sale deed dated 22.11.2022 to be void, however from perusal of the contents of the plaint, there is no whisper whatsoever with respect to the petitioners having got the same executed through impersonation. The petitioners have no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that a clear case under sections 420 and 406 besides other sections of the Indian Penal Code is made out against the accused including these petitioners. Referring to the order of the learned Court below rejecting the application for bail of the petitioners, it is



submitted that the learned Court below has clearly found that the photograph of the seller in sale deed taken in the registry office is not same as photo annexed on the last page. Learned counsel further refers to different paragraphs of the title suit to substantiate his submissions.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioners in the FIR, the submissions made and the petitioners not having any criminal antecedent, it is directed that the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Panapur Kariyat P.S. Case no.8 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class (West), Muzaffarpur, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

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