

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61494 of 2024

Arising Out of PS. Case No.-195 Year-2024 Thana- BUXAR MUFFSIL District- Buxar

1. Kamlesh Kumar Srivastava @ Pintu Srivastava Son of Ram Awtar Srivastava @ Ramawtar Lal Resident of Village - Pandeypatti, Police Station - Buxar (Mufassil), District - Buxar.
2. Rohit Kumar Pandey @ Mikki Pandey @ Vikee Pandey Son of Vinod Pandey @ Vinod Kumar Pandey Resident of Village - Pandeypatti, Police Station - Buxar (Mufassil), District - Buxar.
3. Rahul Kumar @ Rahul Yadav Son of Shiv Parsan Singh @ Saral Yadav Resident of Village - Pandey Patti, Police Station - Buxar (Mufassil), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 13-12-2024 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Buxar Mufassil P.S. Case No. 195 of 2024 registered under Sections 419, 420, 467, 468, 471, 504, 506 / 34 of the I.P.C.

3. As per the case of the prosecution the informant and his sister-in-law purchased a piece of land situated in Khata No. 185, Plot No. 46 having an area of 94.75 decimal from the vendor Raghvendra Kishor Srivastava. The informant came to know that the same land has been executed by virtue of forged sale deed on 24.01.2024 in favour of one Dhananjay Sinha by



impersonating the vendor Raghvendra Kishor Srivastava. It has further been alleged that on 01.07.2024 when the informant was ploughing his land, the petitioners alongwith Dhananjay Sinha arrived there with weapons and prevented the informant from preparing the land and threatened the informant with dire consequences.

4. Learned counsel for the petitioners submits that petitioners are having no criminal antecedent and they have been made accused due to land dispute between two purchasers i.e. informant and Dhananjay Sinha. Learned counsel further submits that the petitioners are not the beneficiaries of the sale purchase of the land in question and the identifier of the sale deed and witness have been granted anticipatory bail by this court in Cr. Misc. No. 71947 of 2024.

5. On the other hand, learned counsel for the informant opposed the prayer for anticipatory bail and submits that petitioners are the members of the gang whose *modus operandi* is to grab the land of innocent people by preparing forged and fabricated sale deed and in the present case also with an intention to grab the land of the informant and vendor Raghvendra Kishor Srivastava a forged sale deed has been prepared in which photograph and signature of the vendor is not



visible / legible. This fact has been noted down by the learned A.D.J.-VII, Buxar in the impugned order.

6. Regard being had to the submission made by the parties, taking into consideration the fact that petitioners are having no criminal antecedent, they are not the beneficiary of the alleged fraudulent sale deed and the identifier and witness has been granted anticipatory bail, as such, I am inclined to grant anticipatory bail to the petitioners.

7. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar in connection with Buxar Mufassil P.S. Case No. 195 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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