

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66641 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- KARJAIN District- Supaul

1. RAUSHAN KUMAR SAH Son of Ganga Prasad Sah RESIDENT OF RATANPURA P.S. RATANPURA DIST SUPAUL
2. Santosh Kumar Sah Son of Ganga Prasad Sah RESIDENT OF RATANPURA P.S. RATANPURA DIST SUPAUL
3. Prakash Kumar Son of Ganga Prasad Sah RESIDENT OF RATANPURA P.S. RATANPURA DIST SUPAUL
4. Alok Kumar Son of Rudranand Mishra R/o Balua Bajar, P.S. - Balua Bazar, Distt. - Supaul
5. Rishi Raj Son of Basant Kumar Mishra R/o Balua Bajar, P.S. - Balua Bazar, Distt. - Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Goutam

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-01-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 420, 467, 468, 471, 406, 504 and 506 of the Indian Penal Code.

3. Petitioner nos.4 and 5 in conspiracy with each other got executed a forged sale deed in favour of petitioner nos.1, 2 and 3.

4. It is submitted by learned counsel for the petitioners that no



such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. It is further submitted that the allegations of the informant is completely civil in nature and there is alternative remedy available before the competent civil jurisdiction instead of lodging criminal case. It is further submitted that the petitioner no.1 has filed a Mutation Cancellation Case No.290 of 2022 before the learned Additional Collector, Supaul for cancellation of jamabandi running in the name of the informant upon which the present case has been filed. Petitioner nos.4 and 5 have no criminal antecedent, whereas petitioner nos.1, 2 and 3 have two criminal antecedents, as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.
6. Considering the arguments of the parties and on perusing the materials available on record as well as the fact that the dispute is purely civil in nature, 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 Karjain P.S. Case



No.44 of 2023, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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