

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65760 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- CHANDAN District- Banka

1. Sneha Gupta W/O Kumar Vikash Narain R/O Near Bright Carrier School, Indu Bhawan, Shree Krishnapuri, Deoghar, P.S. And Dist-Deoghar (JHARKHAND)
2. Indu Devi W/O Satya Narayan Sah R/O Near Bright Carrier School, Indu Bhawan, Shree Krishnapuri, Deoghar, P.S. And Dist-Deoghar (JHARKHAND)
3. Satya Narayan Sah S/O Late Daroga Sah R/O Near Bright Carrier School, Indu Bhawan, Shree Krishnapuri, Deoghar, P.S. And Dist-Deoghar (JHARKHAND)

... .. Petitioners

Versus

1. The State Of Bihar
2. Tuntun Yadav S/O Bhupat Yadav R/O Village Yado Ramdih, Ps Chandan, Dist Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Yogesh C.Verma, Senior Advocate Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s :		Madhuri Lata, Addl Public Prosecutor Mr PN Sahi, Senior Advocate SK Sinha, Advocate Mr R.Patel, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 29-02-2024 Heard learned counsel for the petitioners, the State and the opposite party no.2.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 406,420,467,468,469,471 of the Indian Penal Code.

3. As per the prosecution case petitioners by committing cheating and forgery got execution of Sale Deed of the informant's land appertaining Khata No. 16, Khesra No. 273,



area 0.02 decimal and Khata No. 50, Khesra No. 1473, Area 4.06 Decimal, Khesra No. 1475, Area 1.59 Acr., Khesra No. 1476 are 1.25 Acr., Total 06.90 Acre. They got registration of said land on the basis of forged Aadhar Card and by presenting another man in place of informant.

4. It is submitted on behalf of the petitioners that petitioners are in fact victim as they have been cheated by broker. Informant has not even made accused the person who fraudulently delivered the property in favour of petitioners. Even witnesses and identifiers of the sale deed have also not been made accused in the case. Moreover, the dispute is of civil nature which can be decided by the civil court. Petitioners claim clean antecedent.

5. Opposite party no.2 has filed counter affidavit and supplementary counter affidavit. While controverting aforesaid submissions learned counsel for the opposite party no.2 submits that the petitioners are land shark and have cheated so many persons adopting the similar modus operandi.

6. 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 Chief Judicial Magistrate, Banka in Chandan Police Station Case No. 37 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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