

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68496 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- Basmatia District- Araria

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- 1 . Rina Devi Wife of Surendra Yadav R/O Vill.- Bela, P.S.- Basmatiya, Dist.- Araria.
 2. Anita Devi Wife of Birendra Yadav R/O Vill.- Bela, P.S.- Basmatiya, Dist.- Araria.
 - 3 . Surendra Yadav Son of Dev Narayan Yadav R/O Vill.- Bela, P.S.- Basmatiya, Dist.- Araria.
 4. Birendra Yadav Son of Dev Narayan Yadav R/O Vill.- Bela, P.S.- Basmatiya, Dist.- Araria.
 - 5 . Umesh Chandra Das Son of Manik Chanda Das R/O Vill.- Bela, P.S.- Basmatiya, Dist.- Araria.
 6. Shambhu Yadav Son of Late Raghuveer Yadav R/O Vill.- Bela, P.S.- Basmatiya, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti , Advocate
For the Opposite Party/s : Mr. Manoj Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioners and the

State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 406, 420, 467, 468 , 471 , 120 B and 34 of the Indian Penal Code .

3 . Allegation is of cheating by impersonation . It is alleged that petitioner No. 1 and 2 got the sale deed executed in their name by fraudly making someone else stand in place of one Maksudan Yadav who died on 23rd January 1989 about 35



years ago and the sale deed was executed on 04.05.2023 .

4. It is submitted on behalf of the petitioners that petitioner No. 1 and 2 are bonafide purchasers of land in question and petitioner Nos. 3 and 4 have got no concerned with the alleged occurrence and have been made accused because they happen to be husbands of petitioner No. 1 and 2 respectively and petitioner Nos. 5 and 6 are identifier to the sale deed. As a matter of fact, land in question was purchased by great grandfather of informant Maksudan Yadav and after his death, informant executed sale deed in favour of these petitioners. Moreover, the dispute involved in the present case relates to sale and purchase of land, which is purely civil in nature. None of the acts allegedly committed by this petitioner would give rise to any criminal liability . Petitioners claim clean antecedent.

5 . Learned counsel for the State oppose the bail petition.

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within eight weeks from today, let the petitioners, as named 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 the learned CJM Araria in connection with
Basmatiya P.S. Case No. 09 of 2024 , subject to the conditions
laid down under section 438(2) of the Code of Criminal
Procedure .

(Prabhat Kumar Singh, J)

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