

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70229 of 2024

Arising Out of PS. Case No.-565 Year-2023 Thana- NAGAR District- Vaishali

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1. Mukesh Kumar Sah, Son of Late Jaynarayan Sah Resident of village - Dariyahi, P.S.- Tazpur, Distt.- Samastipur
 2. Rajesh Kumar Jha, Son of Late Hareram Jha Resident of village - Hariprasad, P.S.- Jandaha, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Prabhat

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-10-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 419, 420, 467, 468, 471/ 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 30.11.2021, Savitri Devi along with Rekha Devi purchased a land from a woman impersonating the informant. Further, the land in question belongs to the informant, but the accused persons purchased the land through a woman, who impersonated her and executed the sale deed.



4. The learned counsel for the petitioners submits that name of the informant is Savitri Devi while the name of one of the purchaser is also Savitri Devi alias Asha Devi. It is next submitted that petitioner no.1 is son of Savitri Devi, purchaser of the land and petitioner no.2 is husband of Rekha Devi. It is also submitted that both the petitioners were witnesses on the sale deed. The learned counsel for the petitioners submits that Savitri Devi had also approached this Court seeking anticipatory bail by filing Cr. Misc. No.57106 of 2024 and the same was allowed by an order dated 06.08.2024, wherein it was submitted that on behalf of Savitri Devi (purchaser) that subsequently, she came to know that she was duped, as such, she assured this Court that if informant files an application seeking cancellation of the sale deed by which Savitri had purchased the land, in that event, Savitri will not object rather would support the case of the informant. The learned counsel next submits that case of the petitioner is on a better footing.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below



within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Town (Hajipur) P. S. Case No.565 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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