

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81684 of 2024

Arising Out of PS. Case No.-792 Year-2023 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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1. Umakant Singh Son of Late Ram Chandra Singh Resident of Village - Kateyan, P.S. - Bihiyan, District - Bhojpur
 2. Ashok Kumar Yadav Son of Jaleshwar Yadav Resident of Village - Pawat, P.S. - Ara Muffasil, District - Bhojpur
 3. Ganesh Prasad Singh Son of Shiv Parsan Singh Resident of Village - Khaku Bandh, P.S. - Bihiya, District - Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mani Devi Wife of Late Shyam Bihari Yadav Resident of Village - Sundarpur Barja, P.S. - Bihiyan, District - Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh
For the Opposite Party/s : Mr.Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 12-12-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Complaint Case No. 792(C) of 2023, in which cognizance has been taken for the offences punishable under Sections 420/406/467/468 of the Indian Penal Code.
3. The prosecution case, as per the complaint petition, is that the complainant, who is a widow, has alleged that the petitioner no. 1, her son-in-law, took the complainant to



Bihiya for preparation of her pension paper, took her thumb impression for that purpose and got a sale deed executed in his favour on 03.12.2020 for a piece of land, situated at Khata No. 150, plot no. 254, having an area of 163.5 decimals, in which the petitioner no. 2 was a witness to the sale deed and the petitioner no. 3 was also present at the time of taking the thumb impression of the complainant.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in the present case, which gives rise to a civil dispute. The sale deed, in question, was executed by the complainant in favour of petitioner no. 1 voluntarily and before the registering authority, the complainant has accepted that she has received the consideration amount. The copy of the sale deed is at Annexure-P/2, which shows that the complainant has put her signature on the sale deed and her photograph is also pasted on the same along with the photographs of petitioner nos. 1 and 2. A title suit has been filed by the complainant, bearing Title Suit No. 199 of 2023, for cancellation of sale deed, in question.
5. Regards being had to the submissions advanced on behalf



of the parties and taking into consideration the fact that title suit has already been filed by the complainant for declaring the sale deed, in question, as null and void, I am inclined to grant the petitioners privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Bhojpur, at Ara, in connection with Complaint Case No. 792 (C) of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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