

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78503 of 2023

Arising Out of PS. Case No.-153 Year-2023 Thana- GANGABRIDGE District- Vaishali

Usha Kiran W/O Late Nareshwar Kishore Singh R/O Moti Mahesh Nikunj,
Road No. 12, Rajendra Nagar, P.S- Kadamkuwan, Distt.- Patna Presently
Residing At Flat No. 202 And 204, Muskan Apartment, Near Kannulal Road,
Mithapur, P.S- Jakanpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 80577 of 2023

Arising Out of PS. Case No.-153 Year-2023 Thana- GANGABRIDGE District- Vaishali

Rajeev Ranjan Singh Son Of Shiv Kumar Singh R/O Moti Mahesh Nikunj,
Road No. 12, Rajendra Nagar, P.S- Kadamkuwan, Dist.- Patna Presently
Residing At Flat No. 202 And 204, Muskan Apartment, Near Kannulal Road,
Mithapur, P.S.- Jakkanpur, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 645 of 2024

Arising Out of PS. Case No.-153 Year-2023 Thana- GANGABRIDGE District- Vaishali

Sweta Sajal W/O Rajeev Ranjan Singh R/O Moti Mahesh Nikunj, Road No.
12, Rajendra Nagar, P.S- Kadamkuwan, Distt.- Patna Presently Residing At
Jasmati Enclave, Flat No. 203, East Of Kannulal Road, Mithapur, P.S-
Jakkanpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 78503 of 2023)

(In CRIMINAL MISCELLANEOUS No. 80577 of 2023)

(In CRIMINAL MISCELLANEOUS No. 645 of 2024)

For the Petitioners : Mr. Naresh Chandra Verma, Adv.

Mr. Natraj Verma, Adv.

For the State : Mr. Uma Shankar Prasad Singh,A.P.P.

For the Informant : None

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER



6. 01-05-2024 Heard learned counsel for the petitioner(s) and learned A.P.P. for the State in all the aforesaid three cases. Despite filing *Vakalatnama*, nobody appears on behalf of informant.

2. The petitioners (in all the aforesaid three cases) apprehend their arrest in a case registered for the offence under Sections 406, 420, 504 & 506/34 of the Indian Penal Code.

3. It is alleged that after receiving total consideration money of Rs. 35,50,000/-, the petitioners refused to execute sale-deed in favour of the informant. It is further alleged that Usha Kiran (petitioner in Cr.Misc. No.78503/23) sold the land in question to another person.

4. It is submitted on behalf of petitioners that petitioners have been falsely implicated in this case and entire prosecution case is false and concocted. The land in question belongs to Usha Kiran (petitioner in Cr.Misc. No. 78503/23), whereas Rajiv Ranjan Singh (petitioner in Cr.Misc. No. 80577/23) put his signature on the agreement as witness and Sweta Sajal (petitioner in Cr.Misc. No. 645/24) is wife of Rajiv Ranjan Singh. It is further submitted that since the informant had not paid total consideration money within the prescribed period as per agreement, therefore, the alleged sale-deed could



not be registered in his favour and due to personal necessity, the petitioner (Usha Kiran in Cr.Misc. No. 78503/23) took money from one Raj Kumar and as such, she sold the land in question to him on 04.07.2023 and thereafter, she (petitioner) requested the informant to give bank account details so that the amount could be returned to him, but the informant failed to do so. The informant has also filed a title suit, vide Title Suit No. 832 of 2023, in the court of learned Sub Judge 1st, Vaishali for the same cause of action. It is lastly submitted on behalf of petitioners that the present case is out-and-out of a civil nature and no criminal offence is made out against petitioners. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the fact that present case is purely of a civil nature, for which, title suit is already pending and petitioners have got clean antecedent, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Ganga Bridge



P.S. Case No. 153 of 2023, subject to condition as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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