

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83472 of 2023

Arising Out of PS. Case No.-490 Year-2023 Thana- BETTIAH CITY District- West
Champaran

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1. KUNDAN KUMAR RAO Son of Late Ravindra Rao R/o Diuliya, P.s. - Ramnagar, Distt. - West Champaran
 2. MD. TAJ KHA Son of Md. Salim Kha R/o vill - Sansaraiya, P.S. - Bettiah Muffasil, Distt. - West Champaran
 3. RANJAY KUMAR @ RAJAT KUMAR Son of Late Vikrama Prasad R/o vill - Naya Bazar, P.S.- Kalibagh, O.P., distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Lalan Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioners as well as
the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bettiah Town (Kalibagh O.P.) P.S. Case No. 490 of 2023, registered for the offences punishable under Sections 406, 420, 448, 468, 467, 471, 472, 379, 384, 506, 34 of the Indian Penal Code.

3. As per allegation, the petitioner no. 1 sold the land of informant, by means of forgery, in favour of one Krishnakant Singh @ Tinku Singh. Petitioner Nos. 2 and 3 were witnesses in that sale deed.



4. Learned counsel for the petitioners has submitted that petitioners are innocent and have falsely been implicated. By annexing the certified copy of a sale deed that is annexure-2, learned counsel submits that the land in dispute which is claimed by the informant was sold by his father in favour of father of petitioner no. 1 and petitioner nos. 2 and 3 are merely attesting witnesses of that sale deed. After death of his father, petitioner no. 1 transferred that land in favour of co-accused Krishnakant, i.e., Annexure-3 and said Krishnakant has been granted anticipatory bail by a coordinate Bench in Cr. Misc. No. 64909 of 2023.

5. The documents annexed with the bail petition show that the father of the informant transferred his land in favour of father of petitioner no. 1 and subsequently that land was sold by the petitioner no. 1 in favour of co-accused Krishnakant. These papers annexed with the bail petition *prima facie* shows that it is a matter of civil dispute.

6. Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released 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 learned Chief Judicial Magistrate, Bettiah, West
Champanan in connection with Bettiah Town (Kalibagh O.P.)
P.S. Case No. 490 of 2023, subject to the conditions as laid
down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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