

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83009 of 2023

Arising Out of PS. Case No.-190 Year-2023 Thana- CHANPATIA District- West Champaran

1. Jadolal Sah @ Yadolal Sah Son Of Late Manulal Sah R/O Village- Tikulia, Ward No. 12, P.S.- Chanpatiya, Dist.- West Champaran
2. Umesh Prasad @ Umesh Sah Son Of Late Manulal Sah R/O Village- Tikulia, Ward No. 12, P.S.- Chanpatiya, Dist.- West Champaran
3. Amrita Devi @ Amrita Devi Rauniyar W/O Sambhu Sah @ Sambhu Prasad R/O Village- Tikulia, Ward No. 12, P.S.- Chanpatiya, Dist.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Akhileshwar Kumar Shrivastva, Advocate
For the Informant	:	Mr. Ram Kishun Prasad, Advocate
For the Opposite Party/s	:	Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioners, learned counsel for the informant as well as learned A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Chanpatia P.S. Case No. 190 of 2023 dated 02.04.2023, instituted for the offence punishable under Sections 341, 323, 327, 385, 420, 467, 468, 120(B)/34, 504 and 506 of the Indian Penal Code.

3. As per the prosecution, it is alleged that all the accused persons, including the petitioners, have purchased a certain piece of land through a registered sale deed on payment of Rs. 3,78,00,000/- from the grandsons and grand-daughter of



the khatiyani raiyat. According to the informant, the sale of the land had been facilitated under a criminal conspiracy by the petitioners, as the said land had already been sold to one Mahesh Shah through whom the informant is claiming title over the said property.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that there is a serious dispute between these parties. It is admitted in the F.I.R. that the petitioners are the successor in interest of the recorded tenant. Learned counsel further submitted that the informant after having committed manipulation in the revenue records of Anchal office, Chanpatia, the land of plot no. 2338 and 2342 are quite illegally and falsely inserted in Jamabandi No. 1585 in the name of Shital Prasad Rauniyar, grandfather of the informant. Therefore, Jamabandi cancellation case no. 02 of 2023-24 was filed by Jadho Lal Shah and Umesh Sah against the informant in the court of Additional Collector, Bettiah, West Champaran on 29.03.2023 and thereafter, the present F.I.R. has been lodged. It is next stated that similarly situated co-accused persons have been granted bail *vide* order dated 13.09.2023 passed by a Co-ordinate Bench of this court in Criminal



Miscellaneous No. 58482 of 2023. Lastly, it has been submitted that the petitioners have no criminal antecedents.

5. Learned A.P.P. and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Chanpatia P.S. Case No. 190 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran, Bettiah, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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