

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3163 of 2024

Arising Out of PS. Case No.-302 Year-2023 Thana- NAUGACHIA District- Bhagalpur

1. Runa Devi @ Ruma Devi @ Ruma Singh W/o Ajay Kumar, D/o Late Bijli Prasad Singh R/o vill - Pakra, P.S. - Naugachia, Distt. - Bhagalpur
2. Ajay Kumar Son of Late Harilochan Pd. Singh R/o vill - Sahid Nagar, P.S. - Lohiya Nagar, Distt. - Begusarai
3. Abhishek Kumar Son of Ajay Kumar R/o vill - Sahid Nagar, P.S. - Lohiya Nagar, Distt. - Begusarai
4. Shambhu Kumar Yadav Son of Bhola Yadav R/o vill and P.S. - Naugachia, Distt. - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Naugachia P.S. Case No. 302 of 2023 dated 07.09.2023, instituted for the offence punishable under Sections 420/23 of the Indian Penal Code.

3. The prosecution case, in short, is that petitioner no. 1 in connivance with other accused has illegally sold the land of the informant to one Umang Kumar Verma.

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 petitioner no. 1 namely Runa Devi @ Ruma Singh is the sister of the informant having share in ancestral property of his father. Petitioner no.1 has executed sale deed in favour of Umang Kumar Verma on 14.11.2022 through registered sale deed in which Ajay Kumar, Abhishek Kumar and Shambhu Kumar are identifier and witness to the sale deed. Learned counsel for the petitioner submits that petitioner no. 1 has executed the sale deed only to the extent of her share and not beyond that. It is also submitted that a title suit bearing T. S. no. 67 of 2023 has been filed by the informant against the petitioner and the purchaser for declaration of his right title and interest over the suit property and also for cancellation of sale deed executed on 14.11.2022. It is also submitted that a probate case has been filed in the year 2022 by the sons of the informant, who are claiming the same on the basis of Will of Bijli Prasad Singh, father of petitioner dated 28.04.2018. Petitioner no. 1 has also filed objections and the said probate case which is pending for final adjudication. It is submitted that the present case is purely civil in nature. Lastly, it has been submitted that they have no criminal antecedents.

5. Learned A.P.P. has 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 in connection with Naugachia P.S. Case No. 302 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 A.C.J.M. 1st Naugachia, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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