

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6383 of 2025

Arising Out of PS. Case No.-49 Year-2024 Thana- Madhubani T District- Purnia

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1. Mamta Jha @ Mamta Devi Wife of Sri Kumod Nath Jha Resident of Village-Sipahi Tola Baksa Ghat Road, P.S.- K. Hat, Distt.- Purnea
 2. Abhishek Thakur @ Abhishek Kumar @ Manmohan Thakur @ Mohan Ji @ Abhishek @ Mohan Son of Sri Kusheshwar Thakur Resident of Village-Basantpur, P.S.- Rupauli, Distt.- Purnea, at present residing C/O- Abhinandan Mishra, Resident of Mohalla- Shanti Nagar Ward No. 3, P.S.- Madhubani, Distt.- Purnea
 3. Nishant Kumar Singh Son of Late Nageshwar Prasad Singh Resident of Village-Janta Chowk, P.S.- K. Hat, Distt.- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Moti Mishra Wife of Sri Vijay Kumar Mishra Resident of Village- Mirjapur, P.S.- Korha, Distt.- Katihar at present residing at D/201, Padmawati Nagar Dimpal Road, Nebour Kroma, Mulund West, Mumbai (Maharatra), Pin No. 400080

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Adv.
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 19-02-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with
Madhubani PS Case No. 49 of 2024 dated 29-06-2024 instituted
for the offence punishable under Sections 417,420,423,464, 467,
468 and 34 of the Indian Penal Code.

3. According to the prosecution case, the petitioner
no.2, who is full brother of the informant, in collusion with the



officials of Registry office, Amlas under a conspiracy, got registered a forged sale deed on 04-04-2024 by mentioning the details of land of the complainant/informant situated in Mauza-Madhubani, Thana no. 123/1, khata no. 1265, plot no. 2135 having an area of 3 katha in place of the land situated in Mauza-Basantpur, as mentioned in para 1 of the complaint petition, in favour of the petitioner nos. 1 and 3.

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 nos.1 and 3 are the purchasers through sale deed dated 03-03-2021 *vide* registered deed no. 3969 of khata no. 457, plot no. 1236 admeasuring area 1 acre from the informant. Further submission is that petitioner no.2 is full brother of the informant who is the identifier of the sale deed. It is next submitted that from narration of the complaint petition, it would appear that after reading the contents of the sale deed, informant put his signature over the sale deed before the Sub Registrar, Purnea. It is submitted that only to harass the petitioner, the present FIR has been registered. The nature of allegation is purely civil which can be decided only by Civil Court. Lastly, it has been submitted that there is no criminal antecedents against the petitioners.



5. Learned APP has opposed the prayer for anticipatory bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on 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 CJM Purnea, in Madhubani PS Case No. 49 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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