

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38874 of 2024

Arising Out of PS. Case No.-511 Year-2022 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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1. DEEPAK KUMAR SON OF LATE GAJENDRA PRASAD YADAV
RESIDENT OF VILLAGE - MEGHOUNA, P.S. - ALLOULI, DISTRICT -
KHAGARIA
 2. PARDEEP KUMAR SON OF LATE GAJENDRA PRASAD YADAV
RESIDENT OF VILLAGE - MEGHOUNA, P.S. - ALLOULI, DISTRICT -
KHAGARIA
 3. URMILA DEVI WIFE OF RAMDEO MAHTON @ CHHABBU BIND
RESIDENT OF VILLAGE - MEGHOUNA, P.S. - ALLOULI, DISTRICT -
KHAGARIA
 4. RAMDEO MAHTON @ CHHABBU BIND SON OF LATE ASHIK BIND
RESIDENT OF VILLAGE - MEGHOUNA, P.S. - ALLOULI, DISTRICT -
KHAGARIA
 5. CHANDRAMA KUMAR SON OF RAMDEO MAHTON @ CHHABBU
BIND RESIDENT OF VILLAGE - MEGHOUNA, P.S. - ALLOULI,
DISTRICT - KHAGARIA

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RAJ KISHORE SINGH SON OF GHOGHAN SINGH RESIDENT OF
VILLAGE - MEGHAUNA, P.S. - ALLOULI, DISTRICT - KHAGARIA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyanshu Ranjan, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 22-01-2025 1. Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel appearing on behalf of
the complainant.
2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 323 and
420/34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that



petitioners are persons with clean antecedent. It is further submitted that petitioners have been falsely implicated in the instant case by the complainant. It is next submitted that the instant complaint case has been instituted after more than 40 years of the sale deed being executed in favour of Deepak Kumar (petitioner no. 1) and Pradeep Kumar (petitioner no. 2) by Mishri Lal Yadav the grandfather of the complainant. It is submitted that Deepak Kumar and Pradeep Kumar after purchasing the land gifted the land in favour of their sister and their sister subsequently sold the land to Urmila Devi (petitioner no. 3) and Chandrama Kumar. It is submitted that Ramdeo Mahton (petitioner no. 4) is the husband of Urmila Devi.

4. Learned counsel appearing on behalf of the complainant opposes the prayer for anticipatory bail and submits that the grandfather of the complainant died in the year 1978, as such, it absolutely does not stand to reason that how the sale deed came to be executed by the grandfather of the complainant in the year 1982 on which learned counsel appearing on behalf of the petitioners submits that grandfather of the complainant died in the year 1992 and not in the year 1978.



5. Leaned counsel for the petitioners further submits that the dispute is purely civil to which a criminal colour has been given. It is further submitted that till date the complainant has not filed any case before a Court of competent civil jurisdiction for getting the sale deed cancelled.

6. The said submission of the learned counsel appearing on behalf of the petitioners is not rebutted by the learned counsel appearing on behalf of the complainant.

7. Considering the aforesaid submissions let the petitioners above-named in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Complaint Case No. 511C of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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