

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48467 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- CHAKIA District- East Champaran

1. Manir Alam Khan @ Bachcha Khan son of Late Nure Emam Khan Village- Gogaliya Ps- Madhuban Dist- East Champaran, Motihari
2. Amjad Ali Khan son of Tasrif Alam Khan Village- Gogaliya Ps- Madhuban Dist- East Champaran, Motihari
3. Sahil Khan son of Raju Khan @ Jojhar Ali Khan Village- Gogaliya Ps- Madhuban Dist- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s	:	Mr. Satyendra Prasad, APP
For the Informant	:	Mr. Shashank Shekhar, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

8 29-04-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 419, 420, 467, 468 and 120B of the Indian Penal Code.

3. The allegation in the first information report is that the accused persons by creating forged and fabricated sale deed have registered the informant's land in favour of others.

4. It is submitted by learned counsel for the petitioners that petitioners and informant are agnates and there is land dispute between them. Petitioner no.1 has title and possession



of his share for which he has executed the sale deed and this fact is well known to the informant. So far as petitioner nos.2 and 3 are concerned, petitioner no.2 is the identifier, whereas petitioner no.3 is the purchaser. It is further submitted that no application for cancellation of the said sale deed has been filed as yet. It is lastly submitted that the matter was sent to the Mediation Center for amicable settlement between the parties but the mediation has failed. Petitioner nos.1 and 2 have two criminal antecedents, whereas petitioner no.3 has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail on the ground that the petitioners have cheated the informant by creating forged and fabricated sale deed.

6. Having regard to the facts and circumstances of the case as well as the fact that the dispute is primarily civil in nature, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Chakia P.S. Case No.30 of 2024, subject to the



condition as laid down under Section 438 (2) of the Cr.P.C.

7. However, the informant would be at liberty to file an application for cancellation of the bail bonds of the petitioner no.1 if the sale deed in question is cancelled.

8. The learned Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no.3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no.3, this order will loose its force automatically. However, it is expected that the verification process would be done expeditiously without causing any delay.

9. Accordingly, this application stands disposed of.

(Soni Shrivastava, J)

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