

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55292 of 2025

Arising Out of PS. Case No.-2478 Year-2023 Thana- COMPLAINT CASE District- Araria

1. Rajesh Kumar Sah @ Rajesh @Rajesh Kumar Son of Late Deep Narayan Sah Resident of village - Dholbajja, P.S.- Forbesganj, District - Araria.
2. Subodh Kumar Sah @ Subodh Sah Son of Late Deep Narayan Sah Resident of village - Dholbajja, P.S.- Forbesganj, District - Araria.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Pradeep Sah Son of Late Bahadur Sah Resident of village - Gamahriya, P.S.- Bhargama, District - Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-08-2025 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Complaint Case No. 2478 of 2023 dated 16.12.2023 registered under Sections 406 / 420 / 467 / 468 / 471 / 504 / 506 / 120 of the I.P.C.

3. As per the prosecution case mentioned in the complaint petition the mother of the complainant late Manti Devi was the sole heir of his maternal grandfather namely Ramswaroop Sah. The mother of the complainant died on 14.09.1992. It has further been alleged that on 17.06.1993 the petitioners and other accused persons conspired and got the land of the deceased Manti Devi registered in their name by wrongly describing her



name as Malti Devi. The complainant came to know about the sale deed on 01.10.2023 and thereafter the present complaint has been lodged.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated by the complainant on the basis of complaint lodged after thirty years of the execution of registered sale deed dated 17.06.1993 by the grandmother of the petitioners. The petitioners have not committed any fraud or forgery and the complainant in order to falsely implicate the petitioners has wrongly described the name of the petitioners' grandmother as Manti Devi instead of Malti Devi. The petitioner no. 2 had earlier lodged Araria P.S. Case No. 701 / 2021 against the complainant under Section 406 / 419 / 420 / 467 / 468 / 471 / 34 of the I.P.C. in which the complainant was granted provisional regular bail by this Court vide Cr. Misc. No. 41824 / 2022. The complainant in retaliation of the same has filed the present complaint in order to implicate the petitioners on the basis of a concocted story.

5. On the other hand, learned counsel for the complainant vehemently opposed the prayer for anticipatory bail and submits that the complainant came to know about the forged sale deed in the year 2023 when the complainant visited the Revenue



Office during survey. The complainant is already having share of the land which is being denied on the basis of forged and fabricated sale deed.

6. Regard being had to the submission made by the parties, taking into consideration the fact that both the complainant and the petitioners are uncle and nephew and the registered sale deed was executed in 1993 and after thirty years of the sale deed the uncle of the petitioners has filed the present complaint, accordingly, I am inclined to grant anticipatory bail to the petitioners.

7. Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the 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 learned A.C.J.M. Ist, Araria in connection with Complaint Case No. 2478 / 2023 subject to the condition as laid down under Section 482 (2) of the B.N.S.S.

(Anil Kumar Sinha, J)

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