

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59336 of 2025

Arising Out of PS. Case No.-312 Year-2025 Thana- HILSA District- Nalanda

1. Awadhesh Singh S/o Late Devan Singh R/o vill - Chhotki Ghoshi, P.S.- Hilsa, Distt.- Nalanda
2. Subhash Singh S/o Late Satyanarayan Singh @ Satyanarayan Prasad R/o vill - Usufpur (Ishopur), P.S.- Fatuha, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Lovekush Kumar, Advocate
For the State	:	Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-09-2025 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 318(4), 336(2), 338 and 336(3) of the B.N.S..

3. The prosecution case, as alleged in the F.I.R., in brief, is that the informant and his uncles, namely Jitendra Kumar Verma, Awadhesh Grain and Parashath Verma, got registered a land measuring area 74 decimals, Khata No. 67, Plot No. 943, Thana No. 64 of Mauja- Ghoshi through registered exchange Deed No. 9107 dated 07.12.2012 by one Chandrabhushan Singh in their favour. It is alleged that



Petitioner No. 1 fraudulently executed a forged sale deed vide Sale Deed No. 946 dated 31.01.2025 in favour of Petitioner No. 2 without any right, title and possession over the said land.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. Petitioner No. 1 is seller and Petitioner No. 2 is *bona fide* purchaser of the land in question and has got no concern with the dispute. As a matter of fact, Petitioner No. 1 is cousin brother of Chandrabhushan Singh @ Bhushan Singh and *Jamabandi* of the land in question is running in the name of grandfather of Petitioner No. 1 and Chandrabhushan Singh. It is further submitted that one title suit bearing T.S. No. 192 of 1984 is pending before the learned Sub-Judge, Nalanda at Biharsharif between Chandrabhushan Singh and Petitioner No. 1 and the said, Chandrabhushan Singh has no right to exchange the land in dispute. It is lastly submitted that the dispute involved in the present case is with regard to right, title and possession over a piece of land, which is purely civil in nature and no criminal offence is made out against these petitioners. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the



petitioners.

6. Considering the facts and circumstances of the case, nature of dispute and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Hilsa (Nalanda) in connection with Hilsa P.S. Case No. 312 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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