

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67953 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- GORAUL District- Vaishali

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1. Anil Jha Son of Late Rameshwar Jha Resident of Village - Thikahan Bahadurpur, P.S. - Goroul, District - Vaishali
 2. Ganesh Kumar @ Ganesh Kumar Jha Son of Anil Jha Resident of Village - Thikahan Bahadurpur, P.S. - Goroul, District - Vaishali
 3. Ramesh Kumar Son of Anil Jha Resident of Village - Thikahan Bahadurpur, P.S. - Goroul, District - Vaishali

... .. Petitioners.

Versus

1. The State of Bihar
2. Nitu Devi W/O Sri Avinash Kumar Tarun R/O village - Thikaha Bahadurpur P.S. Goraul Dist. - Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ravi Ranjan, Advocate
For the State	:	Mr. Satya Nand Shukla, APP
For the O.P. No.2	:	Mr. Ravish Mishra, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 27-06-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. At the very outset, learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no.1.

3. Permission is accorded.

4. Accordingly, this application is dismissed as withdrawn as against petitioner no.1.

5. Now, this application survives only for petitioner nos.2 and 3.

6. The petitioner nos.2 and 3 apprehend their arrest in a case



registered for the offences punishable under Sections 420, 467, 468 and 468/34 of the Indian Penal Code.

7. The allegation in the first information report is that the informant had paid an amount of Rs.4.75 lakhs for executing a sale deed of a land, appertaining to Khata No.17, Khesara No.3434, area 11 decimals, adjacent to his house for a total consideration of Rs.7 lakhs and the petitioner no.1, in lieu of the receipt of the money, has executed a Mahadanama in which two persons are witnesses. Further allegation is that instead of executing the sale deed in favour of the informant, petitioner no.1 has executed a sale deed with respect to the same land in favour of his sons, Ganesh Kumar @ Ganjesh Kumar Jha and Ramesh Kumar, who are petitioner nos.2 and 3 respectively.

8. It is submitted by learned counsel for the petitioners that the allegations made in the F.I.R. is totally false. It would be evident from the F.I.R. that there are no specific allegations against petitioner nos.2 and 3. The specific allegation is against petitioner no.1. It is further submitted the informant has neither given the date on which the said money was given nor produced the said Mahadanama. Moreover, the dispute *inter se* is purely civil in nature.

9. Learned APP for the State opposed the prayer for bail.



10. Taking into consideration the facts and circumstances of the case, let the above named petitioner nos.2 and 3, 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 Goraul P.S. Case No.79 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Soni Shrivastava, J)

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