

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72075 of 2024**

Arising Out of PS. Case No.-267 Year-2021 Thana- SAHARSA COMPLAINT CASE Dis-  
trict- Saharsa

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1. Aloghani Devi @ Alodhani Devi, Wife of Chhabbu Sah, R/O Vill.- Manori, P.S.- Sonbarsa Raj, Dist.- Saharsa.
  2. Vidyanand Kumar Munna, Son of Late Vishnudev Yadav, R/O Vill.- Manori, P.S.- Sonbarsa Raj, Dist.- Saharsa.
  3. Sanjan Prasad Singh @ Sanjay Prasad Singh, Son of Narendra Narayan Singh, R/O Vill.- Manori, P.S.- Sonbarsa Raj, Dist.- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mannikant Sah, Son of Late Bhuvneshwar Sah, R/O Vill.- Manori, Ward No. 12, P.S.- Sonbarsa Raj, Dist.- Saharsa.

... .. Opposite Party/s

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**Appearance :**

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| For the Petitioner/s         | : | Mr. Shailendra Kumar, Advocate    |
| For the State                | : | Mr. Ram Naresh Rai, Advocate      |
| For the Opposite Party No. 2 | : | Mr. Kamal Kishore Singh, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

3      22-01-2025                      Heard Mr. Sahilendra Kumar, learned Advocate appearing on behalf of the petitioners and Mr. Ram Naresh Rai, learned Additional Public Prosecutor for the State. The opposite party no. 2 appears through Mr. Kamal Kishore Singh, learned Advocate.

2. The petitioners apprehend their arrest in connection with Complaint Case No. 267 of 2021, registered for the offences punishable under Sections 341, 323, 379, 406, 384, 420, 120(B), 467, 468 and 34 of the Indian Penal Code.



3. The allegation against the petitioners is that they in collusion with each other got one decimal of the land of the informant, executed in their favour. It is specifically alleged that the petitioner no. 1 fraudulently sold the land of the informant in favour of the petitioner no. 2, whereas the petitioner no. 3 is the witness to such sale deed.

4. Learned Advocate appearing on behalf of the petitioners contended that with respect to the same land there is a title suit pending between the parties being, Title Suit Case No. 460 of 2020 which has been instituted by the complainant. The petitioner no. 1 has also filed one another title suit being Title Suit No. 220 of 2021 against the complainant and others. The dispute is predominantly civil in nature. The present complaint has been instituted only in order to wreck vengeance and put pressure upon the petitioners.

5. On the other hand, learned Advocate for the State and the opposite party no. 2 opposed the pre-arrest bail application and submits that the petitioners in collusion with each other, fraudulently got executed the land of the informant.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of dispute which is predominantly civil; and with respect to same land, title suits



are pending from both the sides, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class, Saharsa in connection with Complaint Case No. 267 of 2021, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

supratim/-

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