

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86573 of 2024

Arising Out of PS. Case No.-56 Year-2024 Thana- COMPLAINT CASE - DANAPUR
District- Patna

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1. Rajesh Kumar Son of Late Sudeshwar Prasad @ Late Suraj Rai Resident of Village - Alhanpura, P.S. - Bihta, District - Patna
 2. Niranjana Kumar Son of Madan Prasad Resident of Village - Alhanpura, P.S. - Bihta, District - Patna
 3. Sanjiv Kumar Son of Vidya Bhushan Prasad Resident of Village - Alhanpura, P.S. - Bihta, District - Patna
 4. Shrikant Kumar Son of Laldev Prasad Resident of Village - Alhanpura, P.S. - Bihta, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sudarshan Rai Son of Late Ram Dayal Rai Resident of Village - Alhanpura, P.S. - Bihta, District - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 24-07-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State. Despite of issuance of notice, no one appears on behalf of the opposite party no. 2.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 419 and 468 of the Indian Penal Code.

3. The prosecution case as unfolded in the complaint is that the accused persons have conspired together to prepare a false Adhar card in the name of Anita Devi and tagged the said Adhar with the mobile number of petitioner no. 2, Niranjana



Kumar and thereafter while impersonating as Anita Devi the wife of the complainant showing the complainant as dead has got executed three forged sale deeds in favour of the accused persons.

4. Learned counsel for the petitioners submits that the dispute is essentially civil in nature and the petitioners and complainant are all agnates. There is a valid dispute with regard to the concerned land and there appears to a claim and counter claim. It has been denied that there is any forgery involved in the present case and hence, the aforesaid provisions of Section 468 of the IPC is not attracted. It has further been submitted that the complainant has remedy to file cancellation of deed or take recourse to other civil proceedings. It has also been submitted on behalf of the petitioners that it is only after the complaint had been filed by the petitioner no. 1 before the Public Grievances Redressal Officer and the order having been passed on 03.01.2024 that the present complaint has been filed.

5. Learned counsel for the State, however, opposes the application for anticipatory bail.

6. Considering the nature of dispute to be essentially civil in nature, let the above named petitioners in the event of their arrest or surrender before the learned Court below



within a period of four weeks from today, be enlarged on bail 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 court below where the case is pending/successor court in connection with Complaint Case No. 56(C) of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S. with further condition that the petitioners would appear physically on each and every date in the learned court below and would cooperate in the conclusion of trial.

(Soni Shrivastava, J)

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