

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86248 of 2024

Arising Out of PS. Case No.-156 Year-2023 Thana- COMPLAINT CASE - NAUGACHIA
District- Bhagalpur

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1. Chitranjan Kumar Jaiswal S/O Jai Prakash Jaiswal Resident of Village- Chhoti Parbatta, P.S- Ismilepur, District- Bhagalpur
 2. Tuntun Kumar Kapri @ Tunyun Kapri S/O Jagdish Kapri Resident of Village- Chhoti Parbatta, P.S- Ismilepur, District- Bhagalpur
 3. Rajendra Mandal S/O Late Raghunath Mandal Resident of Village- Chhoti Parbatta, P.S- Ismilepur, District- Bhagalpur
 4. Saurav Kumar Jaiswal @ Saurav Kumar S/O Late Jata Shankar Jaiswal R/O Village- Kursela College Road Ward No. 7, P.S- Kursela, Distt.- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sonu Kumar Jaiswal @ Manish Kumar S/O Sanjay Jaiswal R/O Parbatta, P.S.- Ismailpur, Dist.- Bhagalpur, Current R/O Nawabganj, Balhi, P.S.- Kursaila, Dist.- Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh
For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 09-05-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. At the outset, learned counsel for the petitioners seeks permission to withdraw the application on behalf of the petitioner no. 4 Saurav Kumar Jaiswal.

3. Permission is accorded and the application on behalf of Saurav Kumar Jaiswal is dismissed as withdrawn.

4. However, if the said petitioner surrenders and seeks regular bail, his application shall be considered on its own merit



without being prejudiced by the present withdrawal.

5. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 420, 467, 468, 471, 120B, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

6. The prosecution case as disclosed in the First Information Report is that the accused Saurabh Kumar Jaiswal impersonated as one Sonu Kumar Jaiswal and sold a land measuring 3 acres and 166 decimal to the complainant by such impersonation. The petitioners Chitranjan Kumar Jaiswal, Tuntun Kumar Kapri and Rajendra Mandal are said to be the purchaser, identifier and the witness on the said sale deed which was executed on 06.02.2023. However, when the complainant subsequently sold the land in the joint names of Dinesh Mandal and Ritesh Mandal and when the vendee approached the revenue officer for getting the land mutated in their name, they were informed that the alleged land has already been sold by the petitioner no. 4 on 06.02.2023.

7. It has been submitted on behalf of the petitioners that so far as petitioner no. 1 is concerned, he is the purchaser as per the sale deed dated 06.02.2023 and he himself is a victim circumstances as he has lost both land and money. So far as



other two petitioners are concerned, they are only the identifier and the witness of the sale deed and the thrust of the allegation is against the petitioner no. 4 Saurabh Kumar Jaiswal. It has also been submitted that the nature of case is predominantly civil and civil remedies are available to the complainant.

8. Learned APP for the State has opposed the application for anticipatory bail.

9. Taking into consideration that the petitioners are only the innocent purchaser, identifier and witness and the allegations are 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. 156 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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