

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION



CRIMINAL APPEAL NO(S).817 OF 2024
(ARISING OUT OF S.L.P. (CRIMINAL) NO(S).10522/2023)

AKASH RAJA

APPELLANT(S)

VERSUS

THE STATE OF BIHAR

RESPONDENT(S)

WITH

CRIMINAL APPEAL NO(S).818 OF 2024
(ARISING OUT OF S.L.P. (CRIMINAL) NO. 9626/2023)

O R D E R

Heard the learned counsel appearing for the parties.

Leave granted.

The grievance of the first informant, who appears on caveat, is about the sale deed executed by the appellants in favour of a third party as the first appellant claims to be the owner of the property. The first informant filed a suit for declaration that the sale deed executed by the appellants is nullity. Admittedly, the suit has been withdrawn by the first informant on the ground that the revenue entries have been made in favour of the first informant. Therefore, *prima facie*, it appears to us that the dispute is about the title to an immovable property. Hence, the appellants are entitled to pre-arrest bail.

Accordingly, the interim orders dated 29th August, 2023 and 17th August, 2023, passed in these Appeals respectively, are hereby confirmed.

The Appeals are, accordingly, allowed.

.....J.
(ABHAY S.OKA)

.....J.
(UJJAL BHUYAN)

NEW DELHI;
FEBRUARY 12, 2024.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 10522/2023

(Arising out of impugned final judgment and order dated 12-07-2023 in CRLMN No. 64069/2022 passed by the High Court of Judicature at Patna)

AKASH RAJA

Petitioner(s)

VERSUS

THE STATE OF BIHAR

Respondent(s)

(IA No. 176084/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES AND IA No. 169127/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

SLP(Crl) No. 9626/2023 (II-A)

(IA No. 1590/2024 - EXEMPTION FROM FILING O.T., IA No. 227580/2023 - EXEMPTION FROM FILING O.T., IA No. 227123/2023 - EXEMPTION FROM FILING O.T., IA No. 158951/2023 - INTERLOCUTARY APPLICATION AND IA No. 198560/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 12-02-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) Ms. Anjana Prakash, Sr. Adv.
Mr. Prateek Bhatia, AOR
Ms. Alankrita Sinha, Adv.
Mr. Pradum Kumar, Adv.
Mr. Neeraj Dubey, Adv.

For Respondent(s) Mr. Samir Ali Khan, AOR
Mr. Pranjal Sharma, Adv.
Mr. Abhimanyu Jhamba, Adv.
Mr. Kashif Irshad Khan, Adv.
Mr. Azmat H. Amanullah, AOR
Mr. Tirupati Gaurav Shahi, Adv.

Mr. Talib Mustafa, Adv.
Mr. Lzafeer Ahmad B.F., AOR
Mr. Ahmad Ibrahim, Adv.
Ms. Ayesha Zaidi, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The Appeals are allowed in terms of the signed order. The operative portion of the order reads thus:

"Accordingly, the interim orders dated 29th August, 2023 and 17th August, 2023, passed in these Appeals respectively, are hereby confirmed. The Appeals are, accordingly, allowed."

Pending applications stand disposed of accordingly.

(ASHISH KONDLE)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)

[THE SIGNED ORDER IS PLACED ON THE FILE]