

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41788 of 2016

Arising Out of PS.Case No. -139 Year- 2016 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

- =====
1. KRANTI RANJAN KUMAR @ KANTI RANJAN KUMAR Son of Shri Bishwanath Prasad Resident of Mohalla- Kabirganj, P.S. Sasaram, District-Rohtas.
 2. Shravan Kumar Son of Late Ram Charitra Ram Resident of Mohalla- Kabirganj, P.S-Sasaram (Town), District-Rohtas.

.... Petitioners

Versus

1. The State of Bihar
2. Arvind Kumar Son of Kamta Singh Resident of Mehandiganj, P.S- Sasaram (M), District-Rohtas.

.... Opposite Parties

=====

Appearance :

For the Petitioners : Mr. Surendra Kumar Mishra, Advocate.
For the State : Mr. Sri Upendra Kumar (APP)
For Opposite Party No.2 : Mr. S. K. Pandey, No.5, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 16-12-2016 Counter affidavit has been filed on behalf of Opposite
Party No.2. Let it be kept on the record.

Heard the learned counsel for the petitioners, the
learned A.P.P. for the State as also the learned counsel for
Opposite Party No.2.

In this application for anticipatory bail the petitioners
apprehend their arrest in connection with Complaint Case No. 139
of 2016/ Trial No. 833 of 2016 for the offence punishable under
section 420 of the I.P.C.



Allegedly, petitioner no.2 sold the land to petitioner no.1 which has already been sold by petitioner no.2 to Harsh Ranjan Kumar through two registered sale deeds and from that Harsh Ranjan Kumar the complainant and his brother have purchased the land earlier but with intention to cheat the complainant petitioner no.2 again sold the same land to petitioner no.1.

Submission is of false implication and that over the land proceeding under section 145 of the Cr. P.C. is going on, during the proceeding under section 144 of the Cr.P.C. the complainant dispossessed the petitioners from the disputed land for which petitioner no.2 has filed a petition for lodging complaint against the complainant and others under section 188 of the I.P.C, the witnesses Jitendra Kumar and Harsh Ranjan Kumar are interested and partisan witnesses and therefore their statements are not reliable, the dispute appears to be purely of civil nature and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for Opposite Party No.2 opposes prayer for bail by submitting that with an intention to cheat the complainant, the petitioner no.2 again sold the same land which has already been sold by him earlier.



In the facts and circumstances as stated above, the provision bail granted to the petitioners by order dated 23.09.2016 is hereby confirmed.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--

