

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20392 of 2018

Arising Out of PS. Case No.-192 Year-2017 Thana- JAGDISHPUR District- Bhagalpur

-
1. Laxmi Das, S/o Bharosi Das,
 2. Akhilesh Kr. Tanti @ Kamlesh Tanti, S/o Jeelevi Tanti,
 3. Dinesh Das S/o Laxmi Das,
 4. Tena Das @ Tena @ Rajendra Das, S/o Laxmi Das,
All R/o Village- Koili Chholiya, P.S.- Jagdishpur, District-
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-04-2018 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471 of the Indian Penal Code and 3(1) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, though the provisions under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act has been deleted vide order 25.09.2017, since, it is submitted that, the accused is also belonging to the SC community.

The prosecution case got initiated on the basis of written report dated 09.06.2017 submitted by Santosh Ravidas to the



Station House Officer, Jagdishpur Police Station to the effect the accused persons, including the petitioners, under a conspiracy and threat by administering intoxicant got the land of the informant transferred in favour of petitioner no.1, Laxmi Das, whereas, petitioner nos. 2 to 4 are witness and identifier to the sale deed. Subsequently, the informant made protest, then the accused persons assaulted the informant.

It is submitted by learned counsel for the petitioners that for execution of sale deed dated 24.04.2017, the FIR was registered on 09.06.2017 on the basis of written report. The sale deed suggests that it has been executed after receiving consideration amount and if the informant has any grievance, he may file appropriate application for cancellation of the sale deed. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by Mr. J. N. Thakur, learned APP for the State that the thrust of accusation is against petitioner no.1, Laxmi Das.

Considering the delayed lodging of the case and the accusation arising out of civil nature of dispute, coupled with statement made in paragraph no.3 of the petition that the



petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Bhagalpur, in connection with Jagdishpur P.S. Case No.192 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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

