

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61532 of 2017

Arising Out of PS.Case No. -217 Year- 2016 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

- =====
1. Satendra Mishra @ Satyendra Mishra son of Babban Mishra Resident of Village - Kariyara, Police Station - Chand, District - Kaimur (Bhabua).
 2. Niraj Pandey @ Niraj Pande son of Tarkeshwar Pandey Resident of Village - Lohadan, Police Station - Chand, District - Kaimur (Bhabua). At present resident of Village - Akhalashpur, Police Station - Bhabua, District - Kaimur (Bhabua).
 3. Binod Kumar son of Sri Dhani Singh Resident of Mohalla - Ward No. 9, Police Station - Bhabua, District - Kaimur (Bhabua).

.... Petitioners

Versus

1. The State of Bihar.
2. Narendra Tiwary son of Late Mahatam Tiwary Resident of Village - Akhalashpur, P.S. - Bhabua, District - Kaimur (Bhabua).

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Kumar Sunil
For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 08-01-2018 Heard the learned counsel for the petitioners and

the learned A.P.P. for the State.

This is an application for grant of anticipatory bail

in connection with complaint case no. 217 of 2016 registered for

the offences punishable under Sections 420, 467, 468, 471, 120B

of Indian Penal Code.

The allegation is regarding the petitioners selling

the disputed land of the complainant herein fraudulently.

The learned counsel for the petitioners submits that



the petitioners are the purchasers and they were not knowing anything about the actual ownership of the said land. It is further submitted that a title suit is pending between the parties pertaining to the said disputed land hence, the allegations leveled in the FIR can at best be said to be a dispute of civil nature and would not constitute any criminal offence.

Having regard to the facts and circumstances of the case, let the petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate-VII, Kaimur (Bhabua) in connection with complaint case no. 217/ 2016 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J.)

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