

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9864 of 2019

Arising Out of PS. Case No.-94 Year-2018 Thana- KURSAILA District- Katihar

1. Banti Devi w/o-Vivekanand Kesri Resident of Village- Tikapatti, Ward No. 8, Dhusar, P.S.- Tikapatti, District- Purnea.
2. Krityanand Keshri s/o-late Surya Narayan Keshri Resident of Village- Tikapatti, Ward No. 8, Dhusar, P.S.- Tikapatti, District- Purnea.
3. Vivekanand Kesri @ Bibeka Nand Kehsri s/o-late Surya Narayan Kesri Resident of Village- Tikapatti, Ward No. 8, Dhusar, P.S.- Tikapatti, District- Purnea.
4. Rakesh Kumar Gupta s/o late Bilo Sah Resident of Village-Kursela, P.S.- Kursela, District- Katihar
5. Kailash Mandal @ Kailash Manal @ Kailash Sah s/o- Thethar Mandal Resident of Village- Kap, P.S.- Rupauli, District- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-04-2019 This application, for grant of anticipatory bail, arises out of Kursela P.S. Case No. 94/18, disclosing offences under Sections 420, 467, 468, 120B of the Indian Penal Codes.

Allegation against the petitioners is that they sold the piece of land to the wife of informant for a consideration of Rs. Ten Lakhs and executed a sale deed but the informant later on came to know that the land in question has already been sold by the petitioners to some other person.

Submission of learned counsel for the petitioners is



that the sale deed has been executed in favour of the informant with respect to the land mentioned in the agreement and the dispute arose only when the informant desired to get the land of road side, which has already been sold and petitioners have stated in the supplementary affidavit that they are holder of 72 decimal of land in Khata No. 64, Plot No. 4715 and out of 72 decimal, 36 decimal is in possession of the petitioners and 4 decimal of land was soled to wife of the informant from their 36 decimal of land. As such, the allegation levelled by the informat is false and concocted.

Heard learned A.P.P. as well as learned counsel for the informant. They have opposed the prayer for bail. Learned counsel for the informant has submitted that the land in question has already been sold by the petitioners to some other person. However, on query, he has failed to substantiate the submission that the land in question has been sold to some other person.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned



ACJM-IV, Katihar, in connection with Kursela P.S. Case No.
94/18, subject to the condition laid down under Section 438 (2)
of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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