

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9756 of 2019

Arising Out of PS. Case No.-542 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

-
1. Akash Kumar, S/o Ramashankar Prasad Resident of Village - Adhivakta Nagar Ward No.14, P.S.+Dist-Gopalganj.
 2. Rohit Kumar Verma, Son of Prabodh Kumar Verma Resident of Village – Ramchandrapur, P.S.-Thawe, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Singh
For the Opposite Party/s : Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-02-2019 Heard learned counsels for the petitioners and the
State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 420, 467, 468, 469, 470, 471 and 120B of the IPC.

The prosecution case, as per the written report of Mohit Kumar, dated 16.09.2018, submitted to the Station House Officer, Gopalganj Town Police Station, is to the effect that co-accused Brajesh Srivastava and the petitioner no.2, Rohit Kumar Verma transferred three katha of land on 11.09.2017 through registered sale deed and realized consideration amount of Rs. 5,18,000/- by impersonating the real owner of the land, namely



Abhishek.

It is submitted by learned counsel for the petitioners that the accusation has been levelled against the petitioners in the background of earlier dispute, as petitioner no.2 filed Complaint Case No. 2138 of 2018, with accusation under Sections 420, 465, 467, 468 and 471/34 of the IPC on 19.09.2018, whereas petitioner no.1, Akash Kumar lodged Gopalganj Nagar P.S. case No. 363 of 2018 with accusation under Sections 467, 471 and 120B of the IPC on 08.07.2018 against the informant's side and in retaliation to those cases, the present case has been lodged on 16.09.2018. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that accusation against the petitioners is specific.

Considering the accusation being arising out of civil nature of dispute and the case lodged by the petitioners' side against the informant's side at earlier point of time, coupled with the 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/surrender before the learned Court below within



a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Nagar P.S. Case No. 542 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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

