

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22920 of 2019

Arising Out of PS. Case No.-257 Year-2018 Thana- KHAIRA District- Saran

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1. MANTU RAI @ MANTU KUMAR S/o Late Chhotelal Rai R/o village-Ratanpura Ojha Toli, Kashi Bazar, P.S.- Bhagwan Bazar, District- Saran at Chhapra
 2. Harendra Rai @ Harendra Kumar Rai S/o Late Chhotelal Rai R/o village-Ratanpura Ojha Toli, Kashi Bazar, P.S.- Bhagwan Bazar, District- Saran at Chhapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yashraj Bardhan
For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-04-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 323, 420, 467, 468, 426, 504, 120B IPC registered in connection with Khaira P.S. Case No. 257/2018.

3. It is submitted that the petitioners have been falsely implicated on the accusation of having sold certain land which the informant had purchased through registered sale deed. It is further submitted that Partition Suit No. 318 of 2010 is pending in the Court of learned Sub Judge-XIII, Chapra and as such the dispute is at best of civil nature. The petitioners claim clean



antecedents.

4. Learned APP assisted by learned counsel for the informant opposes the anticipatory bail petition. Learned counsel for the informant invites reference to the order of learned Additional Sessions Judge noticing that proceedings under Sections 107, 144 and 188 Cr.P.C. were going on, in which the accused persons did not produce any paper due to which prohibitory order is in force. Even upon demand before that Court, no papers were produced to show bonafide of their title over the disputed land.

5. Having regard to the nature of accusations and gravity of offence alleged as well as the fact that the petitioners are said to have sold the disputed land which was claimed to belong to the informant's side and in the backdrop of prohibitory order, as aforesaid, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners. The petition stands dismissed.

(Vikash Jain, J)

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