

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46554 of 2019

Arising Out of PS. Case No.-2898 Year-2018 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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1. SAKAL RAI @ RAM SAKAL RAI Son of Late Rampat Rai
 2. Mithlesh Rai Son of Sakal Rai @ Ram Sakal Rai

Both Residents of Village- Ranikhaira, P.S.- Minapur, District- Muzaffarpur
... .. Petitioner/s

Versus

1. The State of Bihar
2. Ravindra Sah, Son of Late Janki Sah, Resident of Village- Harka Kalyan,
P.S.- Minapur, District- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-07-2019 The petitioners apprehend their arrest in connection with
Complaint Case No. 2898 of 2018 in which cognizance under
Sections 323 and 420 of the Indian Penal Code has been taken.

Allegation against the petitioners, as per FIR, is that
petitioner no. 1 has purchased a piece of land from one Ashok
Shah, which land according to the complainant belongs to him.
Petitioner no. 2 is son of petitioner no. 1. It has further been
alleged that petitioner no. 2 has snatched Rs. 1000/-, a ring and
a watch from the complainant and also assaulted him with fist
and slaps.

Learned counsel for the petitioners submits that
petitioners are *bona fide* purchaser of the land from accused No.
1 and there appears to be dispute of share in between vendor of



petitioner no. 1 and the complainant of which petitioner no. 1 has got no concern. Learned counsel further submits that the land has been mutated in the name of petitioner no. 1 and petitioners are in peaceful possession of the same. He, thus, submits that a false case has been lodged against the petitioners merely because he has purchased the land in question.

After having heard learned counsel for the parties and taking into consideration the fact that petitioner no. 1 is a *bona fide* purchaser of land and is in peaceful possession of the same, and the matter appears to be of civil nature, as such I am inclined to grant anticipatory bail to the petitioners. Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Mr. Aftab Alam, Judicial Magistrate, 1st Class, Muzaffarpur in connection with Complaint Case No. 2898 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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