

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63371 of 2019

Arising Out of PS. Case No.-289 Year-2018 Thana- GAUTAMBUDHNAGAR District-
Siwan

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1. BALISTER YADAV Son of Late Ram Peyar Yadav
 2. Mokhtar Yadav Son of Late Ram Peyar Yadav
 3. Shiv Kumari Kunwar Wife of Late Parshuram Yadav
 4. Laxman Yadav @ Laxuman Yadav Son of Mokhtar Yadav
All Residents of Village- Madhu Sareya, P.S.- Manjhagarh, District-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhilesh Kumar
For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-11-2019 Learned counsel for the petitioners is permitted to make
necessary correction in paragraph 10 of the application.

Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners in this case are seeking anticipatory bail in
connection with G.B. Nagar P.S. Case No.289 of 2018 registered for
the offences punishable under Sections 341, 323, 467, 468, 471, 420,
504 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the
petitioners are innocent and have falsely been implicated in this case
due to oblique and ulterior motive.

Learned APP for the State is present and has opposed the



prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case where it is the allegation against the petitioners that they have sold same piece of land twice to two different parties and thereby cheated the informant of this case, this Court is not inclined to grant privilege of anticipatory bail to the petitioners, but at the same time directs that in case the petitioners surrender in the court below within a period of four weeks from today and pray for regular bail, their prayer for regular bail shall be considered by the court below on its own merit and this seems to be a case involving land transactions, if the petitioners place before the court below materials showing that the same and one piece of land has not been subjected to sell to two different parties, it will be open the court below to consider and dispose of the prayer for regular bail of the petitioners on the same day.

The petitioner no.3 is said to be a lady, therefore her prayer for regular bail shall be considered on the same day keeping in view that she is a lady and this Court has taken note of the nature of disputes as stated hereinabove.

This application stands disposed off accordingly.

arvind/-

(Rajeev Ranjan Prasad, J)

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