

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60796 of 2019

Arising Out of PS. Case No.-285 Year-2018 Thana- UCHKAGAON District- Gopalganj

1. Vivekanand Pandey, Son of Late Nagendra Pandey Resident of Village-Semariya Tola Dhadhuwa, Inerpatti, Police Station- Kateya, District-Gopalganj.
2. Abdul Rahim, Son of Late Md. Ismail Resident of village- Mahuawa, Police Station- Uchakagaon, District- Gopalganj.
3. Rajesh Pandey, Son of Late Dinanath Pandey Resident of village- Churaman Chhapra @ Pandeypur, Police Station- Uchakagaon, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Javed Aslam
For the Opposite Party/s	:	Mr.Shantanu Kumar
For Opposite Party No.2	:	Pankaj Kumar Dubey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-09-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Uchakagaon P.S. Case No.285 of 2018, for the offence punishable under Sections 420, 465, 467, 468, 471, 384 of the Indian Penal Code.

The allegation against the petitioners is that land of the informant has been sold to petitioner No.2 by petitioner No.1 and petitioner No.3 is witness to the sale deed.

Learned counsel for the petitioners submits that



petitioners have falsely been implicated in this case inasmuch as both the parties are related and the petitioner No.1 has got rightful claim on the land in question having an area of about 7 katha 13 dhur and 8 katha 2 dhur. Learned counsel further submits that informant has filed a title suit bearing Title Suit No.579 of 2018 challenging the sale deed executed by petitioner No.1.

On the other hand, learned counsel appearing for the informant vehemently opposes the prayer for anticipatory bail and submits that the land in question belongs to the informant and the petitioner No.1 has got no right, title and interest upon the same inasmuch as the land in question devolved upon the informant through the side of his maternal grand mother.

Having regard to the submissions made by the parties and taking into consideration the fact that there appears to be dispute of title between the informant and petitioner No.1 for which a title suit bearing Title Suit No.579 of 2018 has already been filed by the informant, I am inclined to grant anticipatory bail to all these petitioners.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks and in the event of surrender by them, they



shall be released on anticipatory bail by the Court below upon
furnishing bail bond of Rs.10,000/- (Ten thousand) each with
two sureties of the like amount each to the satisfaction of
learned A.C.J.M.-IX, Gopalganj, subject to the condition as
mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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