

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86448 of 2019

Arising Out of PS. Case No.-431 Year-2019 Thana- SARAIYA District- Muzaffarpur

1. ASHA DEVI W/o Sri Raj Kishor Sah Resident of Village- Rupnath Bahilwar, P.S.- Saraiya, Distt- Muzaffarpur.
2. Ram Kishore Sah S/o Late Butan Sah Resident of Village- Rupnath Bahilwar, P.S.- Saraiya, Distt- Muzaffarpur.
3. Kamla Devi @ Kamli Devi W/o Bhola Sah Resident of Village- Bara Sumera, P.S.- Kudhani, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar Vidyarthi
For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-01-2020 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Saraiya PS case no. 431 of 2019 registered for the offences punishable under Sections 341, 323, 504, 506, 420, 467, 468, 471, 120(B) of Indian Penal Code.

The allegation is regarding execution of sale deed fraudulently by petitioner no. 3 in favour of petitioner no. 1, although a Title Suit bearing Title (Partition) Suit no. 136 of 2017 is pending before the learned Civil Court, Muzaffarpur.

The learned counsel for the petitioners has



submitted that the petitioners have been falsely implicated in the present case and are having clean antecedent. It is further submitted that at best, the allegations levelled against the petitioners can be said to be disputes of civil nature and the informant would be well-advised to file appropriate case before the competent court having civil jurisdiction. It is further submitted that as far petitioner no. 2 is concerned, he is the husband of the petitioner no. 1 and no allegation has been levelled against him.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioners coupled with the fact that the allegations levelled against the petitioners are purely of civil nature, I deem it fit and appropriate to admit the abovenamed petitioners to the privilege of anticipatory bail. Accordingly, the petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Muzaffarpur in connection with Saraiya PS case no. 431 of 2019



subject to the conditions as laid down under Section 438(2) of
Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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