

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4743 of 2020

Arising Out of PS. Case No.-197 Year-2019 Thana- TAJPUR District- Samastipur

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1. SHANTI DEVI Wife of Lakho Mahto Resident of Village- Vajitpur Karnail, P.S.- Tajpur (Halai O.P.), District- Samastipur.
 2. Sunita Devi Wife of Naresh Mahto Resident of Village- Vajitpur Karnail, P.S.- Tajpur (Halai O.P.), District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Roy

For the Opposite Party/s : Mr.Shyam Bihari Singh

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 Tajpur Halai case no. 197 of 2019 registered for the offences punishable under Section 379 and other sections of Indian Penal Code.

The allegation is regarding the co-accused persons having sold a part of the land illegally and in a fraudulent manner to the petitioners herein.

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 the petitioners are the purchasers of the land in question and hence, they



cannot be implicated as accused in the fraudulent sale made by the other co-accused persons. It is further submitted that at best, the allegations levelled against the petitioners are in the nature of civil dispute and the complainant would be well advised to approach the competent court having civil jurisdiction.

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 petitioners are stated to be the purchasers of the land in question, I deem it fit and appropriate to admit the abovenamed petitioners to the privilege of anticipatory bail. Accordingly, the abovenamed 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.-Ist, Samastipur in connection with Tajpur (Halai) PS case no. 197 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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