

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38760 of 2020

Arising Out of PS. Case No.-161 Year-2019 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

-
1. Ram Keshwar Ram Son of Late Manki Ram Resident of Village and P.o. - Durgadih, P.S. - Bikramganj, District - Rohtas (Bihar)
 2. Chandra Bijay Ram Son of Late Saheb Ram Resident of Village and P.o. - Durgadih, P.S. - Bikramganj, District - Rohtas (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Baijanti Devi Wife of Jitendra Ram Resident of Village and P.O. - Durgadih, P.S. - Bikramganj, District - Rohtas (Bihar)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh
For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-11-2021 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioners are apprehending their arrest in a complaint case wherein cognizance has been taken under Sections 420, 323, 504, 506, 34 30(a) of the



Indian Penal Code.

It is alleged in the F.I.R that complainant was in search of a land for construction of a house. It is alleged that the petitioners came at the door of the complainant and offered to purchase a land. It is further alleged that the complainant purchased the land for a consideration amount of rupees three lakhs and when the complainant went to take possession of the land in question, she found that the land in question was not the same land as was described by the petitioners. It is further alleged that when the complainant demanded her money back, the accused persons abused and evaded from returning back the money.

It is submitted by learned counsel for the petitioners that allegation against the petitioners is false and baseless. The complainant alleges that in place of Khata No. 102, Plot No. 518, the accused persons have executed Khata No. 102, Plot No. 519.



The complainant, after fully aware about the land has purchased the land in question. The complainant claims the land is a purchased land of the petitioners from one Sridhar Mishra which is a registered document, hence the allegation that they cannot sell the said land is totally unacceptable. Moreover, for a civil nature of dispute, the petitioners have been dragged in a criminal proceeding. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

In the facts and circumstance of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bikramganj, Rohtas in connection with Complaint Case No. 2369 of 2019,



subject to the conditions as laid down under Section
438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Shageer/-

U		T	
---	--	---	--

