

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71361 of 2019

Arising Out of PS. Case No.-304 Year-2019 Thana- SIWAN MUFFASIL District- Siwan

1. OM PRAKASH GUPTA, aged about 38 years (M), Son of Late Ramayan Sah.
2. Munna Sah @ Muna sah, aged about 31 years (M), Son of Late Suresh Sah.
Both resident of Village - Chanaur, P.S.- Dhanauti O.P., District- Siwan.

... .. Petitioners

Versus

1. The State of Bihar
2. Jaynath Thakur, son of Jamuna Thakur, resident of village + P.O.- Chanaur,
P.S.- Dhanauti O.P., District- Siwan.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Pandey, Advocate Mr. Chandan Kumar, Advocate
For the State	:	Mr. Mukeshwar Dayal, APP
For the Opposite Party No. 2 :	:	Mr. Vijay Prakash Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

8 23-11-2021 Heard learned counsel appearing for the parties.

The petitioners seek anticipatory bail in connection with Siwan Muffasil (Dhanauti O.P.) P.S. Case No. 304 of 2019 registered for the offences punishable under Sections 467, 468, 471, 420, 120-B, 323, 384 and 504 of the Indian Penal Code.

Pursuant to last order dated 17.11.2021 both the parties are personally present in the Court.

I have personally interacted with the parties. This is a case in which the accused persons knowing fully well that the land, in question, has been purchased earlier by the prosecution



party, have got executed a sale deed in the year 2019 and now this plea of land dispute for grant of anticipatory bail is ill-advised. If a person commits fraud and cheating knowing that he is purchasing a land which is already sold through a registered sale deed then he does not deserve anticipatory bail because this transaction gives rise to litigation.

In that view of the matter, this application for grant of anticipatory bail is dismissed.

The petitioners are directed to surrender in the Court below within four weeks from today and seek regular bail, if so advised. If the petitioners do not surrender within the aforesaid period of four weeks, the Superintendent of Police, Siwan, is directed to get the petitioners arrested.

(Sandeep Kumar, J)

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