

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5386 of 2022

Arising Out of PS. Case No.-131 Year-2020 Thana- KATRA District- Muzaffarpur

-
1. RAMA DEVI W/o Late Ramchandra Prasad Singh Resident of Village - Dhanaur, P.s.- Katra, Distt.- Muzaffarpur.
 2. GUDDAKESH SINGH Son of Late Ramchandra Prasad Singh Resident of Village - Dhanaur, P.s.- Katra, Distt.- Muzaffarpur.
 3. KRISHNA KUMAR @ MAUSAM Son of Sanjay Prasad Singh Resident of Village - Dhanaur, P.s.- Katra, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saroj Devi W/o Late Nawal Kishore Prasad Singh R/o Village and P.O.- Dhanaur, P.S.- Katra, Distt- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 21-11-2022 Heard the parties.

Learned counsel for the petitioners is directed to remove the defects within four weeks.

In view of order dated 22.08.2022, notice was issued upon O.P. No.2. Office points out that notice has been validly served upon O.P. No.2. However, despite valid service of notice, nobody has entered appearance on her behalf.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 406, 420, 506/34 of IPC.

Allegedly, the petitioners came to the house of informant



and took her thumb impression on several documents and brought her at land acquisition office and took her thumb impression on some documents in lieu of land transaction. When she asked for her share, Krishna Kumar told that Rs.402006/- will be transferred into her account but later she came to know that Rama Devi has got the whole amount in her account. In this way, the petitioners have cheated the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Learned counsel draws the attention of this Court towards the supplementary affidavit, wherein at para-2, he has specifically stated that husband of the informant namely Nawal Kishore Prasad Singh had sold the land bearing Khesara No.6712 to one Sanjay Kumar Singh through registered sale deed on 11.11.1965. In support of his contention, he has annexed the relevant document at Annexure-3 of the supplementary affidavit. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.



Having regard to the facts and circumstances of the case, since there is a civil nature of dispute, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Katra P.S. Case No.131 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

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

