

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12059 of 2022

Arising Out of PS. Case No.-570 Year-2019 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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1. Lilo Singh S/O Late Domi Singh R/O Village- Kadwa Pratap Nagar, P.S.- Dholbajja (Kadwa), District- Bhagalpur
 2. Sakuna Devi W/O Lilo Singh R/O Village- Kadwa Pratap Nagar, P.S.- Dholbajja (Kadwa), District- Bhagalpur
 3. Fulo Singh @ Fuleshwar Singh S/O Lilo Singh R/O Village- Kadwa Pratap Nagar, P.S.- Dholbajja (Kadwa), District- Bhagalpur
 4. Pago Singh @ Pawan Kumar Singh S/O Lilo Singh R/O Village- Kadwa Pratap Nagar, P.S.- Dholbajja (Kadwa), District- Bhagalpur
 5. Kokan Singh @ Kamal Kishor Kumar Singh S/O Lilo Singh R/O Village- Kadwa Pratap Nagar, P.S.- Dholbajja (Kadwa), District- Bhagalpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Amrendra Kumar
For the Opposite Party/s :	Mr. Satya Nand Shukla
	Mr. Subhash Kumar Jha
	Mr. Ranjan Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-09-2022 Heard learned counsel for the petitioners, learned counsel for the complainant and learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 148, 323, 362, 368, 354(A)/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the complainant alleges that the accused persons abducted her



husband and got registered a sale deed with respect to the land in question when her husband was not ready to execute the sale deed.

The learned counsel for the petitioners submits that admittedly, from perusal of the allegation as alleged in the F.I.R., it would manifest that the allegations are purely civil in nature for which, a criminal case is unwarranted. It is next submitted that if complaint was aggrieved by the fact that the accused persons forcibly abducted her husband and got the sale deed executed, then she had remedy of getting the sale deed cancelled by moving before a Court of competent jurisdiction. It is next submitted that husband of the complainant after receiving the entire consideration amount executed the sale deed and even before the Registrar had stated that he has received the entire consideration amount. It is thus submitted that the complainant by way of after thought had instituted false complaint case.

The learned counsel for the complainant as well as the learned A.P.P. opposes the bail application, but are not able to rebut the submission of the learned counsel for the petitioners that in the event, if the complainant was aggrieved by the conduct of the accused persons in getting a sale deed executed



by her husband forcefully, then she has remedy to move before the Court of competent jurisdiction for getting the sale deed cancelled..

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Complaint Case No.570 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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