

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14051 of 2022

Arising Out of PS. Case No.-637 Year-2018 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. PRABHUNATH SINGH Son of Late Butan Singh Resident of Village/ Mauza- Siktiya, P.S.- Sindhwaliya, District- Gopalganj.
 2. Jhalu Singh @ Binod Singh S/o Late Butan Singh Resident of Village/mauza- Siktiya, P.S.- Sindhwaliya, District- Gopalganj.
 3. Binay Singh Son of Late Butan Singh Resident of Village- Basantpur, P.S.- Sathi, District- West Champaran.
 4. Harendra Rai Son of Late Ramnandan Rai Resident of Village- Basantpur, P.S.- Sathi, District- West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Sipahi Yadav @ Chaudhary S/o Parsan Yadav Resident of Village/ mauza- Siktiya, P.S.- Sindhwaliya, District- Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh
For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-11-2022 Heard learned counsel for the petitioners and learned

APP for the State assisted by learned counsel for the

complainant.

Learned counsel for the petitioners seeks permission
to withdraw this application as against the petitioner no.2, as he
has already been arrested by the police, during pendency of this
application.

Permission is granted.

Accordingly, the instant application as against the



petitioner no.2 is dismissed as withdrawn.

Now, this application is being heard for consideration of anticipatory bail as against the petitioner no.1,3 & 4 only.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 420, 465 and 467 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that there is a civil dispute between the parties. He further submits that father of the petitioner no.1 and petitioner no.3 has executed a sale deed in favour of the complainant and petitioner no.4 is a witness in the sale deed. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.



Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioners, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds 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 Complaint Case No. 637/2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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