

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22474 of 2022

Arising Out of PS. Case No.-558 Year-2019 Thana- KHAGARIA District- Khagaria

1. Maneshwar Sah @ Mana Sah, Son Of Late Mishri Sah Resident Of Village - Ramganj Sansarpur, P.S.- Muffasil, Distt.- Khagaria.
2. Vakil Kumar, Son Of Ganesh Sah Resident Of Village - Ramganj Sansarpur, P.S.- Muffasil, Distt.- Khagaria.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 143, 447, 427, 379, 506, 406, 420, 467, 468 and 120(B)/ 34 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that he purchased six kattha of land from Pritam Kumar, thereafter 04 kattha, 10 Dhoor of land from Raj Kumar Lal, thereafter constructing boundary wall and a house. It is next alleged that on 26.06.2019, Ganesh Sah, Maneshwar



Sah and Vakil Kumar in conspiracy without valid documents fraudulently sold his land to Md. Abu Hussain Asraf and Ram Padarath Choudhary. It is next alleged that thereafter petitioners along with named accused came variously armed and threatened the informant to vacant the land or else he would be killed. It is next alleged that the accused persons also broke the pillars and committed theft of 150 kg. iron rods and 10 bags of cement.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case. It is next submitted that the dispute is purely civil, but a criminal case has been instituted in order to coerce the petitioners into submission. It is next submitted that from perusal of the F.I.R., it would manifest that the informant though alleges that he had purchased land, but has not given details of the said purchase. It is also submitted that petitioners are bonafide owners of the land has specifically pleaded at Para-8 of the anticipatory bail application.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

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 from today, 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 learned Court below where the case is pending in connection with Khagaria (Mufassil) P. S. Case No.558 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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