

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34142 of 2021

Arising Out of PS. Case No.-41 Year-2019 Thana- DANAPUR District- Patna

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1. Nidhi Kumari S/O Satish Kumar
 2. Arbind Kumar S/O Late Shayam Nandan Singh
 3. Satish Kumar S/O Late Shayam Nandan Singh
 4. Nila Singh W/O Shri Arvind Kumar All R/O Vijay Nagar, Patel Chowk, Rukanpura, P.O. B.V. College, P.S. Rupaspur, District - Patna.
 5. Sudhir Kumar S/O Late Baikunth Singh R/O Flat No. 101, Hope Anand Apartment, Rukanpura, P.O. B.V. College, P.S. - Rukanpura, District Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi, Adv.

For the Opposite Party/s : Mr. Ashok Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-01-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through the virtual court proceeding.

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 120B, 420, 467, 468 and 471 of the Indian Penal Code.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case due to land dispute. He submits that petitioners are bona fide purchasers of the disputed land and



they are agnates of the informant. He submits that police has filed the final form showing the dispute to be of civil nature whereas the learned Magistrate without advertng to the materials collected during the investigation proceeded to take cognizance by differing with the final form. He submits that the informant has already filed Title Suit No. 03 of 2019 before the learned court below. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the fact that this case is purely a civil dispute, 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 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 Danapur P.S. Case No. 41 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

devendra/-

(Anjani Kumar Sharan, J)

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