

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24474 of 2022

Arising Out of PS. Case No.-317 Year-2021 Thana- GOVINDGANJ District- East
Champaran

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1. CHANDAN KUMAR Son of Lal Babu Upadhayaya
 2. Lal Babu Upadhayaya Son of Phulena Upadhayaya
 3. Shashi Bushan Giri Son of Vidya Nand Giri
All Resident of Village - Ujajain Lohiyar, P.S. - Harsidhi, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore @ Kundan Kumar, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-11-2022 Learned counsel at the outset seeks permission to

withdraw the prayer for anticipatory bail with respect to

petitioner no. 2, namely, Lal Babu Upadhayaya.

Permission is accorded.

Heard learned counsel for the petitioners no. 1 and 3

and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period

of four weeks.

The petitioners no. 1 and 3 apprehend their arrest in a

case registered for the offences punishable under Sections 420,

467, 468, 471 and 506/34 of the Indian Penal Code.

Learned counsel for the petitioners no. 1 and 3



submits that petitioners no. 1 and 3 are persons with clean antecedent.

The informant alleges that petitioner no. 1 fraudulently by changing the Khata and Khesra number of the land of the informant sold the same by executing the sale deed.

Learned counsel for the petitioners no. 1 and 3 submits that petitioners no. 1 and 3 have been falsely implicated in the present case. It is further submitted that petitioners no. 1 and 3 and the informant are related. It is next submitted that petitioner no. 1 has sold the portion of the land of the informant and has nothing to do with the land of the informant. It is also submitted that if the informant is aggrieved by the action of petitioner no. 1 in executing the sale deed of the land in question then informant has remedy available in law i.e. he can get the sale deed cancelled. It is further submitted that as far as petitioner no. 3 is concerned, he is merely a witness on the said sale deed executed by petitioner no. 1.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners no. 1 and 3, the petitioners no. 1 and 3 above-named, in the event of their arrest or surrender before



the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Govindganj (Areraj) P.S. Case No. 317 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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