

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25560 of 2022

Arising Out of PS. Case No.-730 Year-2021 Thana- SAHARSA SADAR District- Saharsa

1. AKHILESH SRIVASTAVA @ AKHILESH KUMAR SRIVASTAVA S/o Mahendra Prasad Resident of Hakpara, Ward No. 14, Near Shivpuri Mohalla, P.S.- Saharsa Sadar, District- Saharsa
2. MUNNA SRIVASTAVA @ SHAILESH KUMAR SRIVASTAVA S/O MAHENDRA PRASAD Resident of Hakpara, Ward No. 14, Near Shivpuri Mohalla, P.S.- Saharsa Sadar, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Abhigyan, Adv
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 01-11-2022 Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners is directed to remove the defects within four weeks.

The petitioners apprehend their arrest in a case registered for the offence punishable under section 420, 467, 468, 471, 120-B, 384, 34 of the Indian Penal Code.

Allegedly, the informant purchased two kathas of land in the name of his wife in the year 1987 and since then the said land was in his possession. One Manoj Srivastava alongwith the petitioners began interfering on the basis of sale deed which later proved to be false under RTPS. It is further alleged that the



petitioners threatened the informant and demanded Rs.5 lakhs extortion from him.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. The specific allegation is upon Bholu Srivastav and Chunnu Singh. Petitioners have no criminal antecedent, as also mentioned in paragraph-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, 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



Saharsa Sadar P.S. Case No.730 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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