

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38060 of 2021

Arising Out of PS. Case No.-61 Year-2021 Thana- RAJGIR District- Nalanda

-
1. PRATIMA KUMARI W/O RAMASHIS DAS RESIDENT OF VILLAGE BELAUA PS RAJGIR, DISTRICT-NALANDA.
 2. BABY KUMARI W/O MINTU KUMAR RESIDENT OF VILLAGE BELAUA PS RAJGIR, DISTRICT-NALANDA.
 3. SUJATA DEVI W/O VIJAY KUMAR DAS RESIDENT OF VILLAGE BELAUA PS RAJGIR, DISTRICT-NALANDA.
 4. GANESH DAS @ RAVI KUMAR DAS S/O VIJAY KUMAR DAS RESIDENT OF VILLAGE BELAUA PS RAJGIR, DISTRICT-NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Jha, Adv.

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-02-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

As prayed for, learned counsel for the petitioners is permitted to make necessary corrections in the prayer portion of this application, in course of the day.

Learned counsel for the petitioners is directed to remove the defects as pointed out by the office within a period of four weeks. In the eventuality of non-removal of defects within the stipulated time, office will place the matter before the Bench.



At the very outset, learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail on behalf of the petitioner nos.1 and 2, as they have already been arrested by the police, during pendency of this application.

Permission is granted.

Accordingly, the prayer for anticipatory bail made through the instant application, on behalf of the petitioner nos.1 and 2 is dismissed as withdrawn.

Now, the present application is being heard for consideration of bail as against petitioner nos.3 & 4.

The petitioners apprehend their arrest in a case in connection with Rajgir P.S. Case No.61 of 2021, corresponding to G.R. no.1160 of 2021, registered for the offence punishable under Sections 420, 467, 468, 471 and 34 of the IPC.

The prosecution case in short is that the grand sons of the informant got registered her land in their name by fraud with the help of his maternal brother. After registry, they took the informant to Kolkata and used to misbehave with her. They fed her wrong medicine and when her health got deteriorated, sent her to village after giving threatening to not



disclose the matter.

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 on account of the admitted land dispute. No such occurrence, in the manner as alleged has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The specific allegation is against Mintu Kumar, Shankar Kumar and Rajan Kumar Das. The land has not been registered in the name of the petitioners. Petitioner no.3 is own daughter of the informant and petitioner no.4 is her grand son. The informant has also filed a Title Suit bearing Title Suit No.57 of 2021 against the accused persons. Petitioners have no criminal antecedent, as also mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the offence is of civil nature and there is no direct allegation against the petitioner nos.3 and 4, let the above named petitioner nos.3 and 4, 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 connection with Rajgir P.S. Case No.61 of 2021, corresponding to G.R. no.1160 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

