

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31602 of 2022

Arising Out of PS. Case No.-61 Year-2020 Thana- KATIHAR COMPLAINT CASE District-
Katihar

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1. Chandan Kumar Sharma S/O Sri Ram Bilash Sharma @ Bilash Sharma Resident Of Village- Paharpur, P.S.- Dandkhora, District- Katihar.
 2. Laxman Mandal S/O Chhedi Mandal Resident Of Village- Paharpur, P.S.- Dandkhora, District- Katihar.
 3. Prasadi Mandal @ Prasad Mandal S/O Late Puran Mandal Resident Of Village- Paharpur, P.S.- Dandkhora, District- Katihar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Puja Kumari D/O Late Siddhnath Dubey Resident Of Village- Paharpur, Post Office And Police Station- Dandkhora, District- Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jibendra Mishra
For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners seeks permission
to withdraw the petition with regard to petitioner No. 1,
namely, Chandan Kumar Sharma, S/O Sri Ram Bilash
Sharma @ Bilash Sharma.

Permission is accorded.

Accordingly, the petition with regard to petitioner



No. 1 is dismissed as withdrawn.

The petitioner may surrender and pray before the learned court below for regular bail, the same may be considered by the court below on its own merit without being prejudiced by the order of this Court.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Section 420, 467, 468, 471, 120(B) of the Bihar Prohibition & Excise Act.

As per the allegation, the brother of complainant executed sale deed in favor of accused Chandan Kumar Sharma, without any consideration and petitioners are the witnesses of said sale deed.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and they have falsely been implicated in the present case. It is also submitted that petitioners have no any active role in execution of the aforesaid sale deed. They are identifier of the sale deed and they have nothing to do with the affairs of entitlement of the



concerned persons with regard to the land in question. It is also submitted that the present case is purely civil in nature. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

In the facts and circumstance of the case, let the petitioners, above named, except petitioner No. 1, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with C.A. Case No. 61 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

nirajkrs/-

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