

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33161 of 2022

Arising Out of PS. Case No.-285 Year-2021 Thana- GAYA KOTWALI District- Gaya

1. Sunita Devi W/O Late Vinay Kumar Resident Of Village - Janta Colony, Bairagi, P.S.- Delha, Distt.- Gaya.
2. Vicky Kumar Son Of Late Vinay Kumar Resident Of Village - Janta Colony, Bairagi, P.S.- Delha, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manisha Prakash

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-11-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 406, 420/34 of the Indian Penal Code.

The prosecution case in nutshell is that informant had got an agreement for a piece of land and payment was done through various modes. It is alleged that before registration some other lady claimed the land in question as her own land. It is further alleged that petitioners conspired and upon the disputed land they have taken the amount and they have cheated the informant.



It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in the present case. It is also submitted that as per the agreement, the informant had to pay the total amount of Rs. 13,50,000/- within six months from the date of agreement but the informant had paid total Rs. 10,51,000/- and therefore, the informant has himself violated the conditions of the agreement. It is further submitted that the land in question is in the name of petitioner No. 1 and she is in peaceful possession of the same but intention of the informant is not clean and he wants to grab the land and get it registered forcefully without the payment of remaining amount. It is further submitted that this matter comes within the preview of civil case and is 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, 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, Gaya in connection with Kotwali P.S. Case No. 285 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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