

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35991 of 2022

Arising Out of PS. Case No.-292 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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1. VEENA CHAUDHARY W/O PRABHAT KUMAR CHAUDHARY R/O-
MOHALLA-DINASAH LANE, MUNDICHAK, P.S.- TILKAMANGHI,
DIST.- BHAGALPUR
 2. PRABHAT KUMAR SON OF RAJENDRA CHAUDHARY R/O-
MOHALLA-DINASAH LANE, MUNDICHAK, P.S.- TILKAMANGHI,
DIST.- BHAGALPUR
 3. USHA RANI JAISWAL WIFE OF UPENDRA NARAIN CHAUDHARY
R/O- ZILA SCHOOL ROAD, P.S.- KHAJAN-CHI HAT, DIST.- PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

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

The informant alleges that he had entered into an
agreement for sale with accused persons on 1.07.2022 for sale
of their land for an amount of Rs, 10,00,000/- accordingly, an
amount of Rs, 10,00,000/- was given, further another agreement
for sale was executed on 30.07.2021 between them, for land



measuring 43 decimals and the advanced given at the time of first agreement remained advance for agreement dated 30.07.2021, further it was agreed that informant will pay the rest of Rs. 1,80,00,000/- within six months and the last date to pay the amount was 30.01.2021, it is next alleged that thereafter the accused shall register the land, further alleges that when he went to see the land Vikas Poddar and Vikash Kumar demanded extortion of Rs. 50,000/- but the petitioner did not help him and executed sale deed in favour of other persons.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no. 1 and 3 are women and have been falsely implicated in the present case, it is next submitted that whatever amount was taken or given was in pursuance of an agreement for sale and is the terms of the agreement for sale stands breached then informant has remedy available in law and filing of a criminal case is definitely an abuse of the process of the Court, it is next submitted that even the police after investigation has submitted Final Form No. 166 Dated 25.06.2022

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, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kotwali (Tilakmanjhi) P.S. Case No. 292 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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