

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35855 of 2022

Arising Out of PS. Case No.-87 Year-2022 Thana- RAMGARHWA District- East Champaran

1. VAKIL DAS SON OF LATE SUKDEV DAS RESIDENT OF VILLAGE-LACHUMANWA, P.S.- RAMGARHWA, DISTRICT- EAST CHAMPARAN
2. HARI NARAIN DAS SON OF VAKIL DAS RESIDENT OF VILLAGE-LACHUMANWA, P.S.- RAMGARHWA, DISTRICT- EAST CHAMPARAN
3. RAJ NARAIN DAS SON OF VAKIL DAS RESIDENT OF VILLAGE-LACHUMANWA, P.S.- RAMGARHWA, DISTRICT- EAST CHAMPARAN
4. MOHAN DAS SON OF BALKUNWAR DAS RESIDENT OF VILLAGE-LACHUMANWA, P.S.- RAMGARHWA, DISTRICT- EAST CHAMPARAN
5. TUNTUN DAS SON OF BALKUNWAR DAS RESIDENT OF VILLAGE-LACHUMANWA, P.S.- RAMGARHWA, DISTRICT- EAST CHAMPARAN
6. RAJU DAS SON OF BALKUNWAR DAS RESIDENT OF VILLAGE-LACHUMANWA, P.S.- RAMGARHWA, DISTRICT- EAST CHAMPARAN
7. PRABHU DAS SON OF LATE SUKDEV DAS RESIDENT OF VILLAGE-LACHUMANWA, P.S.- RAMGARHWA, DISTRICT- EAST CHAMPARAN
8. RAMDULARI DEVI WIFE OF VAKIL DAS RESIDENT OF VILLAGE-LACHUMANWA, P.S.- RAMGARHWA, DISTRICT- EAST CHAMPARAN
9. ASHA DEVI WIFE OF HARINARAIN DAS RESIDENT OF VILLAGE-LACHUMANWA, P.S.- RAMGARHWA, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Ms. Ranjana Srivastava, Advocate
For the Opposite Party/s :	Mr. Prem Kumar Jha, A.P.P.
:	Mr. Dhurendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-11-2022

Heard learned counsel for the petitioners, learned



counsel for the informant and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 419, 420, 379, 147, 148 and 504 of the Indian Penal Code.

The informant alleges that petitioner no. 1 executed a sale deed on which petitioner no. 2 his son was a witness for a consideration of Rs. 4,55,000/- but when the informant went for getting the land mutated in his name, he came to know that the land does not belong to the petitioner no. 1.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the present case. Learned counsel submits that sale deed was executed by the petitioner no. 1 under a mistaken fact but is ready to execute another sale deed with respect to his land or is also willing to return the entire consideration amount of Rs. 4,55,000/-. Learned counsel on instructions submits that petitioner is willing to repay the entire amount of Rs. 4,55,000/- within a period of nine months from today.



Learned counsel for the informant also based on instructions does not oppose the anticipatory bail application of the petitioner since Vakil Das is ready to pay the consideration amount which he had taken from the informant in view of the land.

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 petitioner no. 3 to 9 are directed to be released on anticipatory bail, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on provisional bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Ramgarhwa P.S. Case No. 87 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, if the informant files an application before the learned trial Court bringing to its notice that the petitioner no. 1 and 2 despite giving assurance to the Court



has not repaid the entire amount, the learned trial Court after giving an opportunity to the petitioner no. 1 and 2 shall pass orders in accordance with law and shall also have the liberty to cancel the provisional bail bonds of the petitioner no. 1 and 2.

Further, if the amount as agreed stands paid, within the time as agreed, the provisional bail shall stand confirmed on the same terms and conditions.

(Satyavrat Verma, J)

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