

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46862 of 2021

Arising Out of PS. Case No.-512 Year-2019 Thana- LAKHISARAI District- Lakhisarai

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1. SONIYA DEVI @ INDIRA DEVI W/o SAJJAN PASWAN R/o VILLAGE-ORAIYA, P.S AND DISTRICT-LAKHISARAI. AT PRESENT R/o-LAL BAZAR KASHI MANDAP, KUNTI, P.O. AND P.S-KUNTI, DISTRICT-VARDHMAN (W.B.).
 2. SAJJAN PASWAN S/o CHAMARU PASWAN R/o VILLAGE-ORAIYA, P.S AND DISTRICT-LAKHISARAI. AT PRESENT R/o-LAL BAZAR KASHI MANDAP, KUNTI, P.O. AND P.S-KUNTI, DISTRICT-VARDHMAN (W.B.).

... .. Petitioners.

Versus

1. THE STATE OF BIHAR
2. INDIRA DEVI W/o BHUDE PASWAN @ BHUDEV PASWAN R/o VILLAGE-ORAIYA, P.S AND DISTRICT-LAKHISARAI.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan
For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 14-11-2022 Heard learned counsel for the petitioners and learned A.P.P. for the State but in spite of putting appearance none is present on behalf of opposite party no.2.

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

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 419, 420



& 504/34 of the Indian Penal Code.

By order dated 30.08.2022, learned counsel for the complainant/opposite party no.2 was directed to file xerox copy of the sale deed executed by Chamru Paswan in favour of the complainant in the year 1992. In spite of given ample opportunity, neither he has complied the order nor is present before the Court.

The allegation against the petitioners is that they fraudulently got registered the land of the complainant in their favour and when the complainant asked to petitioner no.2 then the accused persons became angry and abused and assaulted her and threatened to kill her.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to land dispute. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case as well as the fact that the dispute between the parties is of civil in nature, let the above named petitioners, 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 lower Court where the case is pending/successor Court in connection with Lakhisarai P.S. Case No.512 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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