

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67465 of 2021

Arising Out of PS. Case No.-145 Year-2021 Thana- GOVINDGANJ District- East
Champaran

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1. BINOD KUMAR @ VINOD KUMAR Son of Late Mathura Kunwar
Resident of Village - Jadhampur, P.S.- Harsidhi, Distt.- East Champaran.
 2. Anuradha Devi W/o Binod Kumar Resident of Village - Jadhampur, P.S.-
Harsidhi, Distt.- East Champaran.
 3. Prabhu Singh Son of Bibhawanath Singh @ Bishwanath Singh Resident of
Village - Jadhampur, P.S.- Harsidhi, Distt.- East Champaran.
 4. Vijay Kumar Shrivastav Son of Lalbahadur Prasad Resident of Village -
Pataura, P.s.- Muffasil, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyanka Singh
For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-05-2022 At the outset of argument learned counsel for the

petitioners seeks permission to withdraw the anticipatory bail

petition of petitioner No.4, Vijay Kumar Shrivastava.

Prayer is allowed.

This anticipatory bail petition is dismissed as

withdrawn against petitioner No.4.

Heard learned counsel for the petitioners and the

State.

Petitioners apprehend their arrest in a case registered

for the offence punishable under Section 420 and some other



ancillary Sections of the Indian Penal Code.

As per the prosecution case, petitioner No.1 executed a sale deed in favour of petitioner No.2, his wife, and petitioner No.3 is identifier of the deed. It is alleged that the accused persons taking advantage of absence of informant on the basis of forged document sold the land to another person.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. Even if the prosecution case is taken to be true no offence u/s 420 of the IPC is made out against these petitioners because the land in question was sold by father of informant in favour of informants vide sale deed dated 21.07.1999. It is submitted that the informant with intention to make false right on the land sold by his father lodged the instant case in order to grab the land of petitioner No.1 and 2. The dispute appears to be civil in nature. Petitioners have got no criminal antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case and clean antecedent of the petitioners, let the petitioners No. 1, 2, 3, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari in connection with Govindganj Areraj PS case No.145/2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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