

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71920 of 2021**

Arising Out of PS. Case No.-75 Year-2021 Thana- BUXAR District- Buxar

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1. Rabindra Nath Choubey S/o Late Bishwanath Choubey,
 2. Manish Kumar Choubey S/o Late Mahendra Choubey,
- Both are resident of Village- Ahirauli, P.S.- Buxar (Ind.), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

2 08-06-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This is an application for grant of anticipatory bail in connection with Buxar Nagar P.S. Case No. 75 of 2021 registered for the offences punishable under Sections 420, 467, 468, 471, 385, 504 and 506 of the Indian Penal Code.

Allegation against the petitioners is that they along with other co-accused persons demanded extortion money of Rs. 5,00,000/- and when demand was not fulfilled they sold his land to co-accused Bimlesh Yadav and Hanuman Yadav by



fraud. It is also alleged that the accused persons also assaulted and threatened to the informant.

Learned counsel for the petitioners submits that the petitioner no. 1 is seller of his land in dispute and petitioner no. 2 is the witness of the sale deed executed by the petitioner no. 1. Petitioner no. 1 is co-sharer of the informant and the land which was sold by registered sale deed belongs to the petitioner no. 1 who got the same in his share. It is further submitted that the petitioner no. 2 who is only witness of the sale deed is not concerned with the purchase or sale of the land. The present case is of civil nature and purchasers of the land have already been granted anticipatory bail by the learned court below. The petitioners have no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer of anticipatory bail application of the petitioners.

Considering the aforesaid facts and circumstances, nature of allegation against petitioners and petitioners have no criminal antecedent, let the petitioners, above named, in the event of their arrest/surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten



Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar Nagar P.S. Case No. 75 of 2021, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

ved/-

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