

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1749 of 2022

Arising Out of PS. Case No.-258 Year-2021 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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1. PRAVEEN KUMAR JHA Son of Dhanjay Jha Resident of Ward No. 14
Silot Ward Musifile Police Station- Samastipur, Bihar.
 2. Jaganah Paswan Son of Laxam Paswan Resident of Village- Rahmatpur,
Ward Rahmatpur, P.S.- Musiffil Samastipur, Bihar.
 3. Abhishek Kumar Rai Son of Vinay Kumar Roy Resident of Harpur Alloth,
P.S.- Musifil, District- Samastipur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narendra Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-08-2022 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 420, 406, 467, 468, 120(B) and 471 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and a civil dispute has been given a color of a criminal case it is next submitted that from perusal of the allegation as alleged in the FIR it would manifest that the informant alleges that the petitioners got a sale deed executed with respect to his land fraudulently.



Learned counsel for the petitioners submits that the informant after taking the entire consideration amount executed the sale deed but by way of afterthought had instituted the present FIR, it is next submitted that if petitioners are really aggrieved and what they allege in the FIR is true, then they should have filed a case seeking cancellation of the sale deed, it is next submitted that resorting to criminal proceeding is a way to coerce the petitioners into submission so that they part with the money on account of fear of arrest.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners but is not able to meet the submission of the learned counsel for the petitioners that the dispute is purely civil in nature for which civil remedies are available.

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 Court below 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 court below where the case is pending/successor court in connection with Muffail P.S. Case



No. 258 of 2021 subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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