

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4450 of 2023

Arising Out of PS. Case No.-1217 Year-2018 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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1. SUSHMA DEVI WIFE OF UDAY PRATAP PRADHAN R/O HOUSE NO. D 65/561, P.S.- LAHERTARA, BLAIYA, DISTRICT- VARANSI
 2. UDAY PRATAP PRADHAN SON OF LATE RAM ADHAR SINGH R/O HOUSE NO. D 65/561, LAHATARA, BLIYA, P.S.- LAHARATARA, DISTRICT- VARANSI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Manoj Kumar Singh, Adv.
For the Opposite Party/s :	Mr.Pronoti Singh, APP.
	Mr. Prabhakar Singh, Adv.
	Mr. Ranjay Kumar Patel, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-04-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 406, 463, 467, 120 B of the Indian Penal Code.

As per allegation, the land which had already sold to other person, has been sold to the complainant by the petitioners, on payment of consideration money of Rs. 2,50,000/-.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have



been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. It is further submitted that after the investigation, the police has submitted final report against the petitioners stating therein that the case is of civil nature. After the submission of final report by the police, the complainant filed a protest petition against Bhabua P.S. Case No. 538 of 2019 on 05.11.2019. The submission of the protest petition dated 05.11.2019 was registered as Complaint No. 91 of 2021 and regarding the complaint case No. 91 of 2021, the learned A.C.J.M. IV Kaimur at Bhabua took cognizance of offence under Section 406, 420, 467 and 120 B of the IPC against the petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as there is civil dispute between the parties, 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 Complaint Case No. 1217 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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