

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8067 of 2023

Arising Out of PS. Case No.-683 Year-2022 Thana- SONEPUR District- Saran

1. SURESH RAI Son of Akshaibar Rai R/v- Paguraha, P.S.- Dighwara, District- Saran at Chapra
2. RAMJANAM RAI Son of Late Kamla Rai R/v- Paguraha, P.S.- Dighwara, District- Saran at Chapra
3. SUKHDEO RAI Son of Late Kamla Rai R/v- Paguraha, P.S.- Dighwara, District- Saran at Chapra
4. SANTOSH KUMAR RAI Son of Late Kamla Rai R/v- Paguraha, P.S.- Dighwara, District- Saran at Chapra
5. RADHIKA RAI Son of Late Kamla Rai R/v- Paguraha, P.S.- Dighwara, District- Saran at Chapra
6. PANKAJ KUMAR @ PANKAJ KUMAR RAI Son of Late Kamla Rai R/v- Paguraha, P.S.- Dighwara, District- Saran at Chapra
7. SUNITA DEVI Wife of Satish Kumar Barnwal R/o Jia Mata Di Complex, Ashiana Digha Main Road, Rajiv Nagar, near Ram Nihora Path, P.S.- Rajiv Nagar, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey
For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-05-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 467, 468, 471, 420, 120B, 34 of the Indian Penal Code.

Allegedly, the informant purchased two plots from one Abhijit Anand. Thereafter, the informant got mutated the land in his name and paid rent receipt and also got L.P.C. that the said



Abhijit Anand had purchased the said land from the petitioner Suresh Rai and Kamla Rai. The petitioners sold 10 *katha* land to co-accused Sunita Devi in the same plot. Then, the petitioners filed a rectification petition in the said plot which petitioner Suresh Rai had sold to the informant and got rectification in favour of petitioner Sunita Devi.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He further submits that the petitioners have never sold any land nor executed any sale deed to the informant, which is clear from the FIR itself. As per *Khatiyan* the said plot is of 1 *Bigha* and 5 *kathas* and there are several share holders in the said plot. The petitioners have rightly sold the land of their share. He further submits that the matter is of civil dispute. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case,



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 court below where the case is pending/Successor Court in connection with Sonpur P.S. Case No.683 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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