

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10892 of 2023

Arising Out of PS. Case No.-339 Year-2020 Thana- MANSI District- Khagaria

1. RAKESH KUMAR Son of Anil Sharma @ Bhushkari Sharma R/o Chakti, P.S.- Mansi and District- Khagaria
2. ANIL SHARMA @ BHUSHKARI SHARMA Son of Late Jichhu Sharma R/o Chakti, P.S.- Mansi and District- Khagaria
3. ARVIND SHARMA @ ARVIND KUMAR SHARMA Son of Anil Sharma R/o Chakti, P.S.- Mansi and District- Khagaria
4. LALAN DEVI Wife of Anil Sharma R/o Chakti, P.S.- Mansi and District- Khagaria

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. KANCHAN DEVI Wife of Guddu Kumar R/o Chakti, P.S.- Mansi and District- Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sanjeev Verma, Adv.
For the Opposite Party/s :	Mr.Mukesh Kumar Singh, APP.
	Mr. Ranjeet Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-06-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406, 420, 504, 506, 34 of the Indian Penal Code.

Allegation against the petitioners is that they took an amount of Rs. 6,93,000/- for registration of the alleged land in favour of the informant, but neither they registered the alleged land nor returned the alleged amount to the informant.

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 due to enmity. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is civil dispute between the parties. Petitioner no.1 has one criminal antecedent, whereas rest of the 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 and submitted that the informant deposited Rs. 6,93,000/- in joint account of petitioner nos. 1 & 4 for executing the sale deed in favour of the informant, but they did not execute the sale deed in favour of the informant. It is further submitted that on 24.04.2020, a Panchayati was held in which the accused persons had agreed to return Rs. 3,50,000/- on 30.06.2020. However, if the petitioners will not be able to pay Rs. 3,50,000/- till 30.06.2020, accused Anil Sharma had to return a total amount of Rs. 6,93,000/- to the informant, but no amount was returned as yet. They also threatened the informant of dire consequences.

Having regard to the facts and circumstances of the case



and considering the argument of the parties, 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 Mansi P.S. Case No. 339 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

