

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12356 of 2023

Arising Out of PS. Case No.-561 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

-
1. NEEL KAMAL VERMA Wife of Late Shailendra Kumar Verma @ Shailendra Prasad Verma @ Bandhujee Resident of Mohalla - Indra Nagar, Chhatauni Chowk, P.S.- Chhatauni, District - East Champaran, Motihari.
 2. Amol Kumar @ Binu @ Alok Kumar Son of Late Shailendra Kumar Verma @ Shailendra Prasad Verma @ Bandhujee Resident of Mohalla - Indra Nagar, Chhatauni Chowk, P.S.- Chhatauni, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Binod Kumar
For the Opposite Party/s :	Mr. Rajendra Nath Jha
	Mr. Shashank Shekhar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 08-09-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 420 and other allied Sections of the Indian Penal Code.

3. Allegedly, the petitioners took consideration money from the informant and executed a sale deed in favour of the informant. When the informant applied for mutation, he got to know that the land in question is acquired by the State of Bihar. It is alleged that when the informant demanded his money back from the petitioners, they refused to return it.



4. 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. He submits that the petitioners have already paid Rs.28,00,000/- to the informant and they are also ready to return the remaining amount i.e. Rs.56,00,000/- to the informant when the informant will register the alleged land in their favour. Petitioners have no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the O.P. No.2 opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on *provisional* bail for a period of six months from today, 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 Town P.S. Case No.561 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, the *provisional* bail of the petitioners shall be



confirmed by the learned Court below after satisfying that the petitioner has returned the said amount i.e. Rs.56,00,000/- to the O.P. No.2 and the O.P. No.2 has transferred the land in question in favour of the petitioner.

8. This application is, accordingly, disposed of.

(Anjani Kumar Sharan, J)

shikha/-

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

