

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12960 of 2023

Arising Out of PS. Case No.-214 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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1. Rahul Kumar S/O Late Lalan Singh R/V- Rondha, P.S.- Kothi, District- Gaya
 2. Ujwal Narayan Singh S/O Late Lalan Singh R/V- Rondha, P.S.- Kothi, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramanand Kumar S/O Late Sheetal Prasad R/V- Babhandih Tola, Gewalganj, P.S.- Imamganj, District- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Kumar Singh
For the State	:	Mr. Madan Kumar
For the Opposite Party No. 2:	:	Mr. Dharmendra Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 07-08-2023 Heard learned counsel for the petitioners and learned A.P.P. for the State assisted by learned counsel for opposite party no. 2.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 420 of the Indian Penal Code.

3. It is alleged that the complainant had given Rs. 1,65,000/- to the petitioners against their land appertaining to Khata No. 5, Plot No. 120 total area 21 decimal which as given as “Rehan” in his favour in writing for three years and in this regard, an agreement was also prepared. Further, he alleged that



after three years inspite of giving legal notice to them, the petitioners have not returned the amount and also misbehaved with him.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that the said land is still on “Rehan” in favour of the complainant/O.P. No. 2 till date, so there is no forgery or cheating by the petitioners at all. He further submits that the complainant himself playing cunningness with the petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for opposite party no. 2 opposed prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, nature of the offence and there is a civil nature 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.214 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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