

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18936 of 2023

Arising Out of PS. Case No.-94 Year-2022 Thana- SATHI District- West Champaran

1. Sunaina Devi Wife Of Sukai Bin Resident Of Ward No. 14, Village-Dhobani, P.O.-Daniyal Parsuana, Ram Pursuana, P.S.-Sathi, District-West Champaran
2. Ajay Kumar Son Of Sukai Bin Resident Of Ward No. 14, Village-Dhobani, P.O.-Daniyal Parsuana, Ram Pursuana, P.S.-Sathi, District-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abu Nasar

For the Opposite Party/s : Mr. Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-06-2023 Heard learned counsel for the petitioners and learned

A.P.P. for the State assisted by learned counsel for the informant.

The petitioners apprehend their arrest in Sathi (West Champaran) P.S. Case No. 94 of 2022 registered for the offences punishable under Sections 420, 467, 468, 471, 120B and 34 of the Indian Penal Code pending in the Court of learned ACJM-III, West Champaran at Bettiah.

Allegation against the petitioners is that they had registered the land of the informant with fake document without knowledge of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is admitted land dispute between the parties. He further submits that



allegation in the present case is against the co-accused Sukai Bin for fabricating sale deeds. The petitioner no. 1 has three criminal antecedents where as petitioner no. 2 has got four criminal antecedents as mentioned in para-3 of the bail application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that the process under Section 82 and 83 of the Cr.P.C. has been executed on 05.02.2023. Hence, they do not deserve anticipatory bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, their prayer for anticipatory bail is hereby rejected.

However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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