

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19926 of 2023

Arising Out of PS. Case No.-467 Year-2019 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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1. RANJO DEVI WIFE OF SIKANDAR MANDAL RESIDENT OF VILLAGE- CHHOTI PARBATT, PS- ISMAILPUR, DISTT- BHAGALPUR
 2. CHALITAR MANDAL SON OF LATE GENAL MANDAL RESIDENT OF VILLAGE- CHHOTI PARBATT, PS- ISMAILPUR, DISTT- BHAGALPUR
 3. UPENDRA MANDAL SON OF LATE GENA MANDAL RESIDENT OF VILLAGE- CHHOTI PARBATT, PS- ISMAILPUR, DISTT- BHAGALPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. SHIV KUMAR SAHU SON OF LATE MAHABIR SAHU RESIDENT OF VILLAGE- SAHU PARBATT, DISTT- BHAGALPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rajesh Kumar, Advocate
For the Opposite Party/s :	Mr. Madhura Nand Jha, APP
For the Complainant :	Mr. Manjeet Kumar Mishra, Advocate Mr. Kuldeep Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 01-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State along with learned counsel for the complainant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 418, 419, 420, 467, 468, 471, 423 and 504 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no.



1 is a woman.

4. Learned counsel for the petitioners next submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that a civil dispute has been given criminal colour and if complainant is aggrieved by the sale deed executed in favour of petitioner nos. 1 and 2, he has remedies available in law. It is also submitted that petitioner no. 1 and 2 had purchased the land through sale deed executed earlier than the sale deed of the complainant. It is next submitted that petitioner no. 3 is the brother of petitioner no. 2.

5. Learned A.P.P. for the State along with learned counsel for the Complainant opposes the prayer for anticipatory bail of the petitioners and submits that petitioner have not approached with clean hands and they have concealed their criminal antecedent, it is next submitted that petitioner nos. 1 and 3 have obtained bail in Parbatta P.S. Case No. 67 of 2019.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like



amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 467 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that the learned Trial Court before accepting the bail bonds of the petitioners shall verify their criminal antecedent and in the event if it is found that petitioners were involved in any case, then the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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