

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43991 of 2023

Arising Out of PS. Case No.-599 Year-2022 Thana- BUXAR District- Buxar

1. Ramawati Devi W/O- Hari Shankar Yadav Village- Mahdah Ps- Buxar Muffasil Dist- Buxar
2. Nitish Kumar Son Of Hari Shankar Yadav Village- Mahdah Ps- Buxar Muffasil Dist- Buxar
3. Hari Shankar Yadav Son Of Late Ram Bachan Yadav Village- Mahdah Ps- Buxar Muffasil Dist- Buxar
4. Munni Yadav Son Of Nageshwar Yadav Village- Mahdah Ps- Buxar Muffasil Dist- Buxar
5. Rama Shankar Yadav Son Of Jagannath Yadav Village- Rupaspur Ps- Dumraon Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-10-2023 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 504, 506, 420, 406, 34 of the Indian Penal Code.

3. As per FIR, petitioner no. 2 took away the informant at Buxar on the pretext of withdrawing old pension and handed over Rs. 1200/- to him. It is also alleged that petitioner no. 2 administered medicine to him as a result of



which he became senseless and in such condition, he got registered his parental share of land i.e. 94.285 decimal of land in favour of his mother (petitioner no. 1).

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that the petitioner nos. 1 and 2 and informant are gotiya and co-sharer. He submits that informant has sold his land in question after obtaining Rs. 9,12,000/- from the petitioner no. 2 for executing a registered sale deed. The real matter is that when the petitioner no. 1 and 2 got knowledge about wrongly mentioned plot no. 1202 in place of correct plot no. 1219 in the sale deed, they requested from the informant to rectify the same. He submits that the daughter of the informant had earlier sold the land to another person. He submits that the petitioners have filed a title suit i.e. Title Suit No. 146 of 2023 against the daughter of the informant. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State and learned counsel for the informant opposing the prayer for bail submit that the informant has not received any consideration money from the petitioners.



6. Considering the facts and circumstances of the case and the fact that this matter is purely civil in nature, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Buxar Town P.S. Case No. 599 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

devendra/-

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

