

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52580 of 2022

Arising Out of PS. Case No.-65 Year-2019 Thana- PARASBIGHA District- Jehanabad

1. DHARMENDRA KUMAR Son of Shayamdeo Prasad Resident of Village - Naura Tola, Kothiya, P.S.- Parasbigha, District - Jehanabad.
2. Satyendra Kumar Son of Shayamdeo Prasad Resident of Village - Naura Tola, Kothiya, P.S.- Parasbigha, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Adv.
For the Opposite Party/s : Mr.Binod Kumar, APP.
Mr. Paras Nath, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 15-05-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 419, 420 and 506/34 of the Indian Penal Code.

As per the prosecution case, it is alleged that on 28.03.2017, all the accused persons including these petitioners have taken Rs. 3,80,400/- on the pretext of execution of sale deed in favour of the informant but the co-accused persons did not execute the same as the alleged land does not belong to them.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence.



No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Similarly situated co-accused has been enlarged on bail by a co-ordinate bench of this court vide order dated 16.06.2022 passed in Cr. Misc. No. 44354 of 2021. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Petitioners are agreed to pay Rs. 3,27,000/- (Rupees Three Lakh Twenty Seven Thousand) to opposite party no.2 within two months.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on **provisional bail** for a period of three months, 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 Parasbigha P.S. Case No. 65 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and further



subject to the undertakings given by the petitioner.

After being satisfied that petitioners have returned the alleged amount i.e. 3,27,000/- (Rupees Three Lakh Twenty Seven Thousand) to the opposite party no.2, the provisional bail of the petitioners will be confirmed by the learned Court below.

Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

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