

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61946 of 2022

Arising Out of PS. Case No.-975 Year-2021 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. MEERA SINHA Wife of Arun Kumar Sinha Resident of Ward No. 6, Makkhachak Nagar Panchayat, B. Bazari, P.S- Bakhri, Dist- Begusarai
 2. Arun Kumar Sinha Son of Late Rameshwar Prasad Resident of Ward No. 6, Makkhachak Nagar Panchayat, B. Bazari, P.S- Bakhri, Dist- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ravindra Kumar Ravi Son of Sri Ram Prasad Verma Resident of Ward No. 4, Makkhachak Nagar Panchayat, Bakhri, P.S- Bakhri, Dist- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal, Adv.
For the Opposite Party/s : Mr.Nirmala Kumari, APP.
Mr. Rupesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 17-03-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 474 of the Indian Penal Code.

As per the prosecution case, the petitioner no.2 got mutated the land under the deed in the name of his wife (petitioner no.1) with the collusion of employees of Circle-Office, Bhakri, and thus on showing those papers deceived the complainant of Rs. 5,00,000/- after getting a deed executed by petitioner no.1

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 on the instance of one Rupesh Kishore. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. It is further submitted that petitioner no.1 is the rightful owner of lands of Khesra No. 1553, Khata No. 69 purchased by her from Mithilesh Kuery for valuable consideration and her name had been mutated by Anchal Adhikari after due enquiry and satisfaction. He further submits that from the bare perusal of the complaint petition, it can be said that the dispute between the parties is of civil nature, raised by complainant which is cognizable by the Civil Court and no criminal case is made out. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case and considering the argument of the parties, as there is civil 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. 975C of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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