

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71129 of 2022

Arising Out of PS. Case No.-84 Year-2020 Thana- BIKRAMGANJ District- Rohtas

1. RAM PRAVESH DUBEY S/O Late Ramdarshan Dubey R/O Village-Dharupur, P.S- Bikramganj, District- Rohtas
2. Amit Roshan @ Anshu Dubey S/O Ram Pravesh Dubey R/O Village-Dharupur, P.S- Bikramganj, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Choubey, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-05-2023 Heard Mr. Rabindra Kumar Choubey, learned counsel for the petitioners and Mr. Sanjay Kumar Tiwary, learned Additional Public Prosecutor appearing for the State.

Petitioners apprehend their arrest in connection with Bikramganj P.S. Case No. 84 of 2020 dated 1.3.2020 registered for the offences punishable under Sections 420, 467, 468, 471, 504 and 120-B of the Indian Penal Code.

As per the First Information Report all the accused persons with an intention to commit fraud sold 1 Kattha of land in favour of Antu Sah on 9.9.2019 for a consideration money of Rs.2,80,000/- and executed a registered sale deed out of 18 decimals of land acquired by the wife of the



informant/Complainant namely, Lalita Devi by virtue of a gift deed dated 11.08.1995.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case with oblique motive. Out of 18 decimals of land, only 1 Kattha of land has been sold by the petitioners as per their share in the land and there was no intention to deceive or grab the land of the informant and his wife. The informant is own brother of the petitioner No. 1 and uncle of petitioner No. 2. The dispute between the parties relates to the civil dispute and a Title Suit No. 260 of 2009 has also been filed by petitioner No. 1 for partition and another Title Suit No. 20 of 2009 has been filed by the petitioner pertaining to the different piece of land.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that both the parties are related with each other and there is civil dispute between them, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioners, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of



the like amount each to the satisfaction of learned District & Sessions Judge, Bikramganj, Distt. Rohtas, in connection with Bikramganj P.S. Case No. 84 of 2020, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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