

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72236 of 2022

Arising Out of PS. Case No.-3315 Year-2021 Thana- SARAN COMPLAINT CASE District-
Saran

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1. ASWANI KUMAR @ ASWANI KUMAR GUPTA Son of Late Shrawana Prasad R/V- Miyapatti, P.S- Manjhi, Dist- Saran
 2. Shushila Gupta Wife of Aswani Kumar R/V- Miyapatti, P.S- Manjhi, Dist- Saran
 3. Prashant Chandra @ Prashant Chandra Gupta Son of Aswani Kumar R/V- Miyapatti, P.S- Manjhi, Dist- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usha Devi D/o Late Prabhawati Devi , W/o Shivji Prasad R/o- Sadha Dhala, P.S- Chapra Muffassil, Dist- Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rahul Kumar
For the Opposite Party/s	:	Mr. Anil Kumar
For the complainant	:	Mr. Bishwa Nath Chaudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-04-2023 Learned counsel for the complainant filed a supplementary affidavit in the Court today.

Let it be kept on the record.

Heard learned counsel for the petitioners and learned APP for the State assisted by learned counsel for the complainant.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Section 420, 423, 465, 467, 471 and 120(b) of the Indian Penal Code pending in



the learned court below.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is general and omnibus allegation levelled against these petitioners with a sole intention i.e. to harass all family members of petitioners. He submits that there is a civil dispute going on between the parties. He further submits that Ashwani Kumar Gupta prepared a forged gift deed in respect of 10 Dhurs land of the complainant and executed the same in favour of his son petitioner Prashant Chand Gupta. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State along with learned counsel for the complainant opposes for prayer for bail and submits that petitioners have suppressed the fact that they have criminal antecedents but this fact has been explained by the learned counsel for the petitioners by way of a supplementary affidavit filed in the court.

Considering the aforesaid facts and circumstances and the fact that there is civil dispute between the parties, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks



from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Complaint Case No.3315/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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