

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71633 of 2022

Arising Out of PS. Case No.-806 Year-2021 Thana- ARA NAWADA District- Bhojpur

1. PANCH KUMARI PANDEY WIFE OF LATE RAGHUBAR DAYAL PANDEY R/O AMIR CHAND KOTHI, PAKRI, ARA, P.S.- NAWADA, DISTRICT- BHOJPUR PERMANENT R/O VILLAGE- LAUHAR FARNA, P.S.- BADHARU, DISTRICT- BHOJPUR
2. ANUPAM PRIYADARSHI SON OF LATE RAGHUBAR DAYAL PANDEY R/O AMIR CHAND KOTHI, PAKRI, ARA, P.S.- NAWADA, DISTRICT- BHOJPUR PERMANENT R/O VILLAGE- LAUHAR FARNA, P.S.- BADHARU, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dwivedy Surendra
For the Opposite Party/s	:	Mr. Parmanand Kumar
		Mr. Piyush Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-05-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 420, 406, 467, 468, 120(B) and 34 of the Indian Penal Code.

The case of the prosecution is that, the informant purchased land from the petitioners. He gave some money in cash and some in bank account of the petitioners. The petitioners prepared documents of Rs. Thirteen Lakhs. It is alleged that when the informant went to construct boundary on the land in question, the petitioners stopped him. When the



informant demanded his money from the petitioners, the petitioners threatened him. It is alleged that the petitioners cheated the informant and took Rs.22,50,000/- from him.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. He submits that the petitioner has sold the said land in question to the informant for the consideration amount of Rs.13 lakhs in the year 2019. He submits that the land in question is free from all disputes and revenue authority has already issued land receipts in the name of the informant. The petitioners had also issued land receipt which proves possession of the petitioners over the suit land. Learned counsel for the petitioners has stated in para-2 of the supplementary affidavit that the petitioners will never disturb the possession of the informant over the land in question nor he will interfere any construction work made by the informant over the land in question. Petitioners have criminal antecedent mentioned in para-3 of the bail application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail. It is submitted by learned counsel for the informant that the land in



question does not belongs to the petitioners but they sold the same to the informant.

Having regard to the facts and circumstances of the case, 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 court below where the case is pending/Successor Court in connection with Ara Nawada P.S. Case No.806 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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