

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68632 of 2022

Arising Out of PS. Case No.-598 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

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1. SHALU KUMAR Son of Ramesh Kumar Resident of Mohalla- Belbanawa
P.S- Motihari Town Dist- East champaran
 2. Durgawati Devi Wife of Ramesh Kumar Resident of Mohalla- Belbanawa
P.S- Motihari Town Dist- East champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Adv/
For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-04-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 406, 341, 504, 506, 34 of the Indian Penal Code.

Allegedly, petitioners are said to have taken Rs. 4,00,000/- from the informant in the name of the land and house but denied to execute the sale deed and also did not return the money.

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 only with a view to grab the land and house of the petitioners. 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 the petitioners have denied the entire allegation made in the FIR. The informant has greedy eye on the land and house of the petitioners. Petitioners have not taken any money from the informant for their land nor they execute any agreement for sale. 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, as there is pure 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 Motihari Town P.S. Case No. 598 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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