

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75242 of 2022

Arising Out of PS. Case No.-622 Year-2021 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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1. WAKIL YADAV Son of Late Udho Yadav R/V- Mungaria Tola Pakrail, P.S- Maheshkhunt, Dist- Khagaria.
 2. Nitish Kumar Niraj Son of Satya Narayan Yadav R/V- Mungaria Tola Pakrail, P.S- Maheshkhunt, Dist- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Amod Yadav Son of Late Singho Yadav R/V- Mungaria Tola Pakrail, P.S- Maheshkhunt, Dist- Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Binod Kumar, Advocate
For the State	:	Mr. Lalan Kumar, APP
For O.P. No.2	:	Mr. Praveen Kumar Agrawal, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioners, learned counsel for the opposite party no.2 and learned APP for the State.

Petitioners apprehend their arrest in connection with Complaint Case No.622C/2021, registered for the offences punishable under Sections 323, 420, 467 and 34 of the Indian Penal Code.

The case of the complainant, in brief, is that his land is situated at Mauza Pakrail, bearing Khata No.129, Khesra No.255. On 02.11.2021, the accused persons came there and told that they have purchased the said land. The complainant



went to the Registry Office, Gogari and found that accused, Prem Kumar had sold his land to the petitioners. It is alleged that the accused persons committed fraud with the complainant.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is submitted that petitioners have got no criminal antecedent. It is further submitted that no specific allegation is alleged against the petitioners. It is also submitted that the dispute between the parties is civil in nature.

Learned APP for the State as well as learned counsel for O.P. No.2 opposed the prayer for grant of anticipatory bail to the petitioners by submitting that the said land belongs to O.P. No.2, but co-accused, Prem Kumar wrongly registered the sale deed in favour of the petitioners.

Taking into consideration the facts aforesaid, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be released on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Khagaria in connection with Complaint Case No.622C/2021, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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