

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81413 of 2023

Arising Out of PS. Case No.-443 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

1. ARTI GUPTA W/O SHAILENDRA KUMAR GUPTA R/O GUPTA HARDWARE, N.H. 31, OPPOSITE P.W.D. OFFICE, P.S AND DISTT.- BEGUSARAI.
2. SHAILENDRA KUMAR GUPTA S/O LATE SHIV PRASAD GUPTA R/O GUPTA HARDWARE, N.H. 31, OPPOSITE P.W.D. OFFICE, P.S AND DISTT.- BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Adv.
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-12-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 467, 468, 471, 120B, 406, 420 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioners are said to have committed forgery with the informant regarding the alleged land and after knowing the truth, when the informant asked about the same, they threatened the informant of dire consequences and obtained his signatures on 10 blank papers.

4. 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 due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Title Suit No. 43 of 2015 and Title Suit No. 251 of 2014 have also been pending between the informant and co-accused Sanjay Singh before the learned Court below. There is no specific overt act against the petitioners as they are only purchaser of the said land. Similarly situated co-accused, namely, Sanjay Singh, has been enlarged on bail by this court vide order dated 11.09.2023 passed in Cr. Misc. No. 29726 of 2023. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners and they are only purchaser of the said land, 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 Begusarai Town P.S. Case No. 443 of 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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