

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8435 of 2024

Arising Out of PS. Case No.-61 Year-2020 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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1. Bhagat Chaudhari Son of Ram Pyare Chaudhari Resident of village-Khemda Barun, Police Sation-Barun, Distt.-Aurangabad (Bihar)
 2. Dashrath Chaudhary Son of late Gopi Chand Chaudhari Resident of village-Khemda Barun, Police Sation-Barun, Distt.-Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamendra Prasad Singh, Adv.

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 29-08-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Complaint Case No. 61 of 2020 registered under Sections 406, 420, 467, 468, 386 and 323 of the Indian Penal Code.

3. The case of the complainant, in brief, is that on payment of Rs. 6,25,000/-, these petitioners executed a sale deed of 6.25 decimal land in favor of the complainant and one Najma Khatoon, and thereafter, when the complainant went for mutation of the said land, it transpired that the land in question was not in existence.

4. Learned counsel appearing on behalf of the petitioners



submits that from perusal of the complaint case, it is apparent that the dispute is with regard to sale and purchase of land, which is purely civil in nature. Only with a view to settle a civil dispute and claim a criminal hue has been lent to a civil natured issue. Moreover, complainant has got alternative remedy. Petitioners claim clean antecedent.

5. Learned A.P.P. appearing on behalf of the State opposed the bail application.

6. Having considered the aforesaid facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail-bonds of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VII, Civil Court, Aurangabad in connection with Complaint Case No. 61 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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