

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10529 of 2024

Arising Out of PS. Case No.-60 Year-2020 Thana- TEKARI District- Gaya

1. Jai Shankar Awasthi Son of Late shivkamal Awasthi Resident of Village-Sarmaspur Kohara, P.S.-Lodipur, Distt.-Bhagalpur
2. Vijay Shankar Awasthi @ Bijay Shanker Awasthy Son of Late Shivkamal Awasthi Resident of Village-Sarmaspur Kohara, P.S.-Lodipur, Distt.-Bhagalpur
3. Arun Shankar Awasthi @ Arun Shankar Awasthy Son of Late Shivkamal Awasthi Resident of Village-Sarmaspur Kohara, P.S.-Lodipur, Distt.-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwajeet Kumar Mishra, Adv.
For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered
for the offence punishable u/s 323, 420, 467, 468, 471, 120(B)
and 34 of the IPC.

3. Allegation against the petitioners is that they sold the land
of informant on the basis of unregistered *Bakhshishnama* and
forcibly tried to take possession of the said land and on protest,
they assaulted the informant.

4. It is submitted by learned counsel for the petitioners that
petitioners are quite innocent and have committed no offence. It



is submitted that due to land dispute between the parties, this false case has been lodged against the petitioners. Petitioners have got full right, title and possession over the land, therefore, execution of sale deed is valid. At best, it is a case of civil dispute between the parties. Petitioners have one criminal antecedent and two similarly situated co-accused have been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 28.07.2022 passed in Cr. Misc. No.1064/2022.

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

6. Having regard to the facts and circumstances of the case, since similarly situated co-accused have been granted bail, 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 Tekari P.S. Case No.60 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

