

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20836 of 2024

Arising Out of PS. Case No.-204 Year-2023 Thana- LAUKAHI District- Madhubani

1. Indrapari Devi W/o Surya Narayan Sah @ Surya Narayan Sahu R/o vill - Jhahuri, P.s. - Laukahi, Distt. - Madhubani
2. Amrendra Sah @ Amrendra Kumar Sahu S/o Surya Narayan Sah @ Surya Narayan Sahu R/o vill - Jhahuri, P.s. - Laukahi, Distt. - Madhubani
3. Shital Prasad Sah S/o Hari Narayan Sah R/o vill - Jhahuri, P.s. - Laukahi, Distt. - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jagar Nath Yadav S/o Kamal Narayan Yadav R/o vill - Chichodhwa, P.s. - Laukahi, Distt. - Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Laukahi P.S. Case No. 204 of 2023 for the offence punishable u/s 420, 406, 467, 468, 471 and 34 of the Indian Penal Code.

3. As per the prosecution case, the co-accused Surya Narayan Sah and the petitioners cheated the informant Rs. 5,09,000/- on pretext of transferring one kattha land in his favour. Later on they refused to transfer the land in favour of



the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The informant entered into an agreement with the co-accused Surya Narayan Sah for purchase of land and he was supposed to make payment of Rs. 6,50,000/- out of which he made payment of Rs. 3,60,000/- only and due to his inability to make the payment of the rest of the amount, land could not be transferred. However, the co-accused returned the amount of Rs. 3,60,000/- and the informant swore an affidavit before notary public admitting this fact. Moreover, the petitioners have no role in the whole occurrence and they are not having any criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioners. Learned counsel for the informant submits that the petitioners are also involved and petitioner No. 3 received payment in his account from the informant.

6. Considering the aforesaid facts and circumstances of the case and considering the civil nature of dispute and further considering the possibility of false implication, let the petitioners, in the event of their arrest/surrender within a period



of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court concerned, Madhubani in connection with Laukahi P.S. Case No. 204 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Arun Kumar Jha, J)

Prakash/-

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