

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25946 of 2024

Arising Out of PS. Case No.-251 Year-2023 Thana- SIDHWALIYA District- Gopalganj

1. Rajeshwar Pandey S/o Late Lachhandev Pandey R/o Village- Lohijara Tola Balichhapar, P.S.- Sidhwaliya, District- Gopalganj
2. Vijay Pandey S/o Late Lachhandev Pandey R/o Village- Lohijara Tola Balichhapar, P.S.- Sidhwaliya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla, Adv.

For the Opposite Party/s : Mr. Md. Fahimuddin, APP.

Mr. Awadhesh Kumar Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-09-2024 Heard learned counsel for the petitioners, learned A.P.P.
for the State and learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 420, 467, 468, 471, 504, 34 of the Indian Penal Code.

3. Allegedly, co-accused, namely, Birendra Pandey having conspiracy with the petitioners is said to have sold the land of informant's share in the name of one Aas Bibi on 20.03.2020 in Sidhwaliya Registry office. When the informant came to know about the same and asked the accused persons to return the aforesaid land through sale deed, they started abusing the informant.



4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. There is admitted land dispute between the parties and a title suit bearing Title Suit No. 668 of 2021 is pending between them. It is further submitted that the petitioners are cousin of the informant and they have no concern with the dispute land in question transferred by co-accused Birendra Pandey. They have been made accused in the present case merely because they are brothers of co-accused Birendra Pandey. From the sale deed no. 734 dated 20.02.2020, it is evident that the petitioners are neither the executant of the deed nor the witness of the deed in question. It is further submitted that the petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposes 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, 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 Sidhwaliya P.S. Case No.251 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

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

