

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25442 of 2024

Arising Out of PS. Case No.-131 Year-2022 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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1. Shanti Devi Wife Of Lalo Mukhia Resident Of Village -Patori Ps -Bihra District- Saharsa
 2. Lalo Mukhia @ Lalo Mukhiya Son Of Late Yadu Mukhiya @ Jaddu Mukhiya Resident Of Village -Patori Ps -Bihra District- Saharsa
 3. Kundan Mukhiya Son Of Thithar Mukhiya Resident Of Village -Patori Ps -Bihra District- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anandi Devi Wife Of Chhedi Malakar Village- Bihra, Ps- Bihra, Dist- Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Diwakar Prasad Singh, Advocate
For the Opposite Party/s :	Md. Mushtaque Alam, A.P.P.
	Ms. Rashmi Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-07-2024 Heard learned counsel for the parties.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 406, 420/34 of the Indian Penal Code.

3. It is alleged that these petitioners got the land in question registered through daughter of the O.P. No. 2 without paying the consideration money.

4. Learned counsel for the petitioners submits that on the basis of complaint petition, matter was registered under Section 156(3) Cr.P.C. and F.I.R. was instituted. After



investigation, police found the case untrue and final form was submitted against the petitioners. It is next submitted that the consideration amount has already been paid to the complainant long back and subsequently the complainant executed the sale deed. Moreover, the dispute, as alleged in the complaint, is of civil nature. The acts attributed to the petitioners do not give rise to any criminal liability. Petitioners claim clean antecedent.

5. Learned counsel for the O.P. No. 2 vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Complaint Case No. 1178(C) of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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