

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24059 of 2024

Arising Out of PS. Case No.-1103 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

-
1. Ram Janam Singh @ Ram Jatan Singh Late Ram Sevak @ Ram Sevan Singh Village- Bajitpur, P.S. Belaganj, District- Gaya
 2. Jitendra Kumar son of Late Ram Sevak @ Ram Sevan Singh Village- Bajitpur Ps- Belaganj Dist- Gaya
 3. Shrawan Kumar @ Sharwan Kumar son of Late Ram Sevak @ Ram Sevan Singh Village- Bajitpur Ps- Belaganj Dist- Gaya
 4. Rakesh Kumar son of Raj Janam Singh Village- Bajitpur Ps- Belaganj Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalti Devi wife of Sri Laldeo Singh Village- Bajitpur Ps- Belaganj Dist- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Vinay Mistry, Adv.
For the Opposite Party/s :	Mr.Anuj Kumar Shrivastava, APP.
	Mr. Ashok Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-04-2024 Heard learned counsels for the parties.

2. Learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no.2, submitting that during pendency of this application petitioner no.2 has been apprehended by the police.

3. Permission is granted.

4. Accordingly, this application is dismissed as withdrawn in respect of petitioner no.2 only.



5. Now, this application survives for rest of the petitioners.

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

7. Allegedly, all the accused persons including the petitioners are said to have got registered sale deed dated 24.06.2022 for measuring an area 16 decimal after making the complainant drunk without paying the consideration amount. When the complainant came to know about execution of the land in question and went to the petitioners, they started abusing and assaulting him.

8. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and they have committed no offence. No such occurrence as alleged has ever taken place. They 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. Both the parties are agnates and there is admitted land dispute between them. It is further submitted that the instant case is purely in civil nature for which the complainant's son filed a title suit bearing Title Suit No. 656 of 2022 prior to the complaint case. This fact is also



not denied by learned counsel for the complainant. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

9. Learned APP for the State as well as learned counsel for the complainant opposes the prayer for bail.

10. Having regard to the facts and circumstances of the case, as there is civil dispute between the parties and the complainant's son has already filed a title suit for cancellation of the sale deed, let the above named petitioner nos. 1, 3 & 4, 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 Complaint Case No. 1103 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

11. Accordingly, this application stands partly allowed.

(Anjani Kumar Sharan, J)

divyanshi/-

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

