

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29933 of 2024

Arising Out of PS. Case No.-514 Year-2019 Thana- GARKHA District- Saran

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1. Ashok Kumar Rai Son of Late Bageshwar Rai Resident of Village and Post office Zilkabad, P.S- Garkha, Dist- Saran (Chapra)
 2. Rakesh Rai Son of Gopal Rai Resident of Village- Rauja, P.O- Bara Telpa, P.S- Chapra Town, Dist- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Adv.

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-06-2024 Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners apprehend their arrest in connection with Garkha P.S. Case No. 514 of 2019 registered under Sections 341, 323, 420, 324, 467, 468, 471, 504 and 120(B) of the Indian Penal Code.

3. As per prosecution case, all the accused persons including these petitioners fraudulently purchased the land of the complainant from one Bal Mukund Shrivastava.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been



implicated in the present case. It is further submitted that the sale deed in question was executed by one Bal Mukund Shrivastava in favour of Petitioner no. 1 and others in which Petitioner No. 2 is witness. The land in question has been purchased by petitioner no. 1 and others after giving full consideration amount and got the sale deed executed. Complainant and others have already filed a title suit bearing Title Suit No. 543 of 2019 for declaration of the right, title and possession over the said land. The dispute between the parties is purely civil in nature. Learned counsel further submits that similarly situated co-accused persons have already been granted anticipatory bail by this Court *vide* order dated 18.01.2024 passed in Cr. Misc. No. 82500 of 2023 (Annexure-3).

5. Learned A.P.P. appearing on behalf of the State opposed the prayer for bail.

6. Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-IV, Saran at Chapra in connection with



Garkha P.S. Case No. 514 of 2019, subject to the conditions as
laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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