

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35808 of 2024

Arising Out of PS. Case No.-943 Year-2020 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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1. Ramesh Pandey Son Of Late Mankeshwar Pandey Resident Of Village- Barkagaon, Ps- Mirganj, Dist- Gopalganj
 2. Sunil Pandey Son Of Late Rampyar Pandey Resident Of Village- Barkagaon, Ps- Mirganj, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivek Anand Amritesh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioners and the
State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471/34 of the Indian Penal Code.

3. As per the complaint case, these petitioners sold 2 katha ancestral land of the complainant to the other accused persons.

4. Learned counsel for the petitioners submits that from perusal of the Survey Khatian it is evident that the total area of land in dispute is 1 Bigha 2 Katha and 7 Dhoor out of which 8 Katha 17 Dhoor and 9 Katha 3 Dhoor land was sold to



the ancestors of the complainant *vide* two sale deeds in 1970 and thus, 4 Katha 7 Dhoor land was still remaining, out of which these petitioners have sold 2 Katha land. He next submits that the allegations made in the complaint petition are predominantly civil in nature. No acts, as mentioned in the complaint petition, allegedly committed by the petitioners, give rise to any criminal liability. Petitioners claim clean antecedent.

5. 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 Additional Chief Judicial Magistrate-XVI, Gopalganj in connection with Complaint Case No. 943 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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