

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33744 of 2024

Arising Out of PS. Case No.-446 Year-2023 Thana- DHAKA District- East Champaran

1. Punam Devi @ Punam Kumari Wife Of Amod Kumar Resident Of Village - Madhubani, P.S. - Chiraiya, District - East Champaran
2. Amod Kumar Son Of Raghunath Sah Resident Of Village - Madhubani, P.S. - Chiraiya, District - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioners and
learned APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Dhaka P.S. Case No. 446 of 2023 registered on 14.08.2023 for the alleged offences under Sections 341, 323, 504, 406, 467, 468, 471, 342 of the Indian Penal Code.

3. As per prosecution case, the petitioner no.1 sold the land belonging to the informant to co-accused, Ramlal Singh with active connivance of the petitioner no.2 and other co-accused persons.

4. Learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in this case. The land sold by petitioner no.1 was her purchased land from co-accused, Raj Karan Sah which she subsequently sold out to co-accused, Ramlal Singh. Learned counsel for the petitioners further submits that the falsity of allegation is apparent from the facts as petitioner no.2 was not present at the place of occurrence and on the date of occurrence, he was in Patna where he works in Secretariat. There is a Title Suit bearing Title Suit No. 140 of 2022 between the parties and from the facts of the case, it is apparent that it is a civil dispute and no fraud has been committed. The petitioners are having clean antecedent.

5. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

6. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the civil nature of dispute and possibility of false accusation, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of



the like amount each to the satisfaction of Court of learned S.D.J.M., Dhaka, East Champaran at Motihari in connection with Dhaka P.S. Case No. 446 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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