

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41438 of 2024

Arising Out of PS. Case No.-203 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Sarita Devi, W/O Tunni Chauhan, Vill.-Gopal Tola, Arai, P.S.-
Shahjahanpur, Dist.-Patna, At Present Vill.-Khabba Ka Akhara, Loha Ka
Pul, P. S.- Malsalami, Dist-Patna.
 2. Chandan Kumar, S/O Tunni Chauhan, Vill.-Gopal Tola, Arai, P.S.-
Shahjahanpur, Dist.-Patna, At Present Vill.-Khabba Ka Akhara, Loha Ka
Pul, P. S.- Malsalami, Dist.-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kedar Chauhan, S/O Late Ram Prasad Chauhan, R/O Vill.-GOPAL Tola,
Arai, P. S.- Shahjahanpur, Dist.-Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Complaint Case No. 203 of 2023 registered for
the offences punishable under Sections 323, 341, 406, 504 and
34 of the Indian Penal Code.

3. As per prosecution case, the complainant and his
brother Tunni Chauhan entered into an agreement for sale with
Maheshwar Prasad to sell the land that belongs to him and his
brother and took Rs. 14 lacs but his brother Tunni without



informing or asking, conveyed the land by way of registry. On 19.02.2023, all the accused persons came to the house of the informant and assaulted the informant and his son and told to vacate the house.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case as the petitioners had signed as a witness on registered sale deed executed by Tunni Chouhan who is the brother of the complainant. The petitioners have no concern with the land in question. It is further submitted that the land in question belongs to co-accused Tunni Chouhan who sold the property in his share but with ulterior motive the complainant has filed the complaint case. Petitioners have no criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of



the concerned Court where the case is pending in connection
with C. Case No. 203 of 2023, subject to the conditions as laid
down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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