

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41450 of 2024

Arising Out of PS. Case No.-457 Year-2023 Thana- CHAKIA District- East Champaran

1. Most. Jaikar Devi @ Jaikara Devi @ Jaika Devi Wife of Late Umakant Thakur Resident of Village- Shekhi Chakiya, P.S- Chakiya, Dist- East Champaran
2. Abhay Thakur Son of Late Umakant Thakur Resident of Village- Shekhi Chakiya, P.S- Chakiya, Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Akash kumar Son of Bharat Kumar Resident of Village- Chakia ward no- Baudhi Nagar Near Middle School P.S- Chakiya, Dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Jai Narain Thakur, APP
For Opposite Party No.2	:	Mr. Karandeep Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-07-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 420, 467, 468, 471, 406, 120B, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, it is alleged that these petitioners, along with other co-accused persons named in the F.I.R., cheated the informant and sold government land to him.

4. It is submitted by learned counsel appearing on behalf of the petitioners that the petitioners have falsely been implicated in this case. As a matter of fact, Petitioner No. 1 and



co-accused Surendra Thakur and Anand Kumar Thakur are vendors of the land in question, which is the khatiyani land of their family and it was given to them in family partition. Petitioner No. 1 and other co-accused persons have already executed registered sale deed in favour of the informant on 13.02.2023 vide Sale Deed No. 2229. Petitioner No. 2 has been made an accused in this case only because he happens to be son of Petitioner No. 1. It is further submitted that the dispute between the parties is of civil nature.

5. Learned A.P.P. for the State and learned counsel for the informant/Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances and nature of dispute between the parties, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners 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 learned Judicial Magistrate 1st Class, Motihari, East Champaran, in connection with Chakia P.S. Case No.457 of 2023, subject to condition as laid down



under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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