

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42222 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- CHAKIA District- East Champaran

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1. Jaikara Devi @ Most Jaikar Devi W/o Late Umakant Thakur R/o Village- Shekhi chakiya, P.S.- Chakiya, district- East Champaran
 2. Abhay Thakur S/o Late Umakant thakur R/o Village- Shekhi chakiya, P.S.- Chakiya, district- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kundan Jaiswal S/o Harishankar Prasad Jaiswal R/o Village- Siswa Sob, P.S.- Chakiya, district- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Abhishek Kumar, Advocate
For the Opposite Party/s :	Mr. Surendra Kumar, A.P.P.
	Mr. Karandeep Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-07-2024 Heard learned counsel for the petitioners, informant and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 419, 420, 406, 467, 468, 471 and 120(B) of the Indian Penal Code.

3. It is alleged that these petitioners along with one other F.I.R. named accused person cheated the informant and sold government land to him.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. As a matter of fact, petitioner No. 1, co-accused Surendra Thakur and Anand Kumar Thakur are vendors of the land in question which is a khatiyani land of their family and petitioner No. 1 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 merely because he happens to be son of petitioner No. 1 and witness to the sale deed. It is next submitted that the dispute involved in this case is regarding sale and purchase of land between the parties, which is pre-dominantly civil in nature and informant has got alternative remedy before the court below.

5. Learned counsel for the informant vehemently opposed the bail application.

6. 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 Judicial Magistrate, 1st Class, Motihari, East Champaran in connection with Chakia P. S. Case No. 03 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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