

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50284 of 2021

Arising Out of PS. Case No.-12 Year-2020 Thana- CHAKIA District- East Champaran

1. YOGENDRA THAKUR S/o- RAMESHWAR THAKUR Resident of Village- Chakbara, P.S.- Pipra, District- East Champaran.
2. Mahendra Ram Son of Bhikari Ram Resident of Village- Persauni Khem, P.S.- Chakiya, District- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Dhanmanti Devi Wife of Ganesh Baitha R/o Vill.- Persauni Khem, P.S.- Chakiya, Distt.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

11 06-09-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 120(B), 384, 387, 341, 323, 354 and 504 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that from perusal of the office note dated 05.09.2024, it would manifest that the same records that service report of ordinary and registered notice, till date, has not been received.

4. Learned counsel for the petitioners further submits



that petitioners are persons with clean antecedent and have been falsely implicated in the present case. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the dispute is purely civil to which a criminal colour has been given. It is further submitted that even the parties have compromised the case as would manifest from Annexure-2 to the supplementary affidavit. It is also submitted that considering the aforesaid facts, this Court was pleased to grant the privilege of anticipatory bail to Shree Bala Lakhindra Baitha and Harendra Baitha by an order dated 29.11.2022 in Criminal Miscellaneous No. 36128 of 2022. It is also submitted that in Criminal Miscellaneous No. 36128 of 2022, the learned counsel had appeared on behalf of the informant and had concurred with the submissions of the learned counsel for the petitioners in that case.

5. Learned A.P.P. for the State also is not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioners that learned counsel on behalf of the informant had appeared in Criminal Miscellaneous No. 36128 of 2022 and had concurred with the submission of the learned counsel for the petitioner that the case has been compromised.

6. At this stage, the learned counsel appearing on



behalf of the petitioners submits that no useful purpose would be served by keeping the anticipatory bail application pending for notice when the case stands compromised.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chakiya P.S. Case No. 12 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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