

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43125 of 2023

Arising Out of PS. Case No.-2007 Year-2019 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. MUSLIM Son of Late Satabul Resident of village - Baluganj, P.S. - Amour, Distt. - Purnea
 2. Muskan Rani @ Sadiya Rani D/o Muslim Resident of village - Baluganj, P.S. - Amour, Distt. - Purnea
 3. Narayan Chandra Das Son of Mehar Chandra Das Resident of village - Baluganj, P.S. - Amour, Distt. - Purnea
 4. Pradip Kumar Sah Son of Mohan Lal Sah Resident of village - Amour, P.S. - Amour, Distt. - Purnea
 5. Md. Adil Son of Hassan Resident of village - Amour, P.S. - Amour, Distt. - Purnea
 6. Haji Badrul Son of Kalimuddin Resident of village - Beltola, P.S. - Amour, Distt. - Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vijay Kumar Jha Son of Late Sushil Kumar Jha Resident of College Colony Road, Rambagh, P.S. - Sadar, Distt. - Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr.Md Fazle Karim, Adv. Mr. Kumar Rajdeep, Adv.
For the Opposite Party/s :		Mr.Pramod Kumar Pandey, APP. Mr. Sanjay Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 09-01-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406, 420, 467, 468, 120(B) and 34 of the Indian Penal Code and later on, the cognizance has been taken under Sections 406, 468 and 120(B) of the Indian Penal Code.



3. Allegedly, under a conspiracy, petitioner no. 4 along with other co-accused persons, got executed sale deed of the land in question with dishonest intention in favour of petitioner nos. 1 to 3. Petitioner nos. 5 & 6 is said to have damaged the boundary wall and tried to take possession of the alleged land.

4. It is submitted by learned senior counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is general and omnibus. The present false case has been filed by the complainant in order to put pressure on the petitioners to vacate their purchased land on which they are in peaceful possession. There is civil dispute between the parties. They have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the complainant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case as well as argument of the parties, as there is civil dispute between the parties, let the above named petitioners be released on bail, in the event of their arrest or surrender before the



learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Purnea Complaint Case No. 2007 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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