

Arising Out of PS. Case No.-253 Year-2023 Thana- MOHIUDDIN NAGAR District-
Samastipur

- Petitioner/s

Versus

- Opposite Party/s

For the Petitioner/s	:	Mr. Dilip Kumar Roy, Adv.
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, APP
For the O.P. No.2	:	Mr. Patanjali Rishi, Adv.
	:	Mrs. Prerna Rishi, Adv.

3 20-11-2024 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Mohiuddin Nagar P.S. Case No. 253/2023 registered for the offences punishable under Sections 420, 464, 465, 466, 467, 468, 469, 471, 120B, 323, 341, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, petitioner no.1 is said to have taken the share of informant by usurping of the property of the informant fraudelently and it is also alleged that petitioners with the help of anti-social elements went to the



house of the informant and abused her and threatened to vacate the house and also tried to lock the house.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence as alleged in the FIR. The petitioners bear no criminal antecedent. Nothing has been recovered from the conscious possession of the petitioners. He further submits that allegations are general and omnibus in nature against the petitioners. Petitioner no.1 is father of petitioner no.2 and they have falsely been implicated in this case. He further submits that present prosecution story is purely of civil nature and allegation is made without having any substance. All allegations are made just to make the offence graver and the petitioners are family members of the informant. In the light of the aforesaid facts and circumstances of the case, no case is made out against the petitioners under the aforesaid sections.

5. The learned counsel for the informant as well as A.P.P. for the State opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioners, argument advanced on behalf of both sides and also taking into



consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class cum Additional Munsif, Samastipur in connection with Mohiuddin Nagar P.S. Case No. 253/2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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