

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49668 of 2023

Arising Out of PS. Case No.-676 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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1. Ivon William Netal @ Ivon William Natal Son Of Late William Josek @
Late William Joseph Mohalla Christen Quarter, P.S. Bettiah Town, Distt-
West Champaran
 2. Joy William Netal @ Joy Ivon Natal Son Of Ivon William Netal Mohalla
Christen Quarter, P.S. Bettiah Town, Distt- West Champaran
- Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shiv Kumar Dwivedy, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

10 01-02-2024 Learned counsel for the petitioners are permitted to
make correction in paragraph 2 of the second supplementary
affidavit, in the course of the day.

2. Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in
connection with Bettiah Town P.S Case No. 676 of 2022 dated
19.09.2022 registered for the offence punishable u/s 406, 420
and 34 of the Indian Penal Code.

4. As per the prosecution case, it is alleged that both
the petitioners took Rs. 25,00,000/- from the complainant by
deceiving her to purchase a piece of land. The complainant
came to know that the alleged land was already sold to another



person and a case is pending. Further the petitioners refused to return the advanced money.

5. Learned counsel for the petitioners have submitted that the petitioners have falsely been implicated in this case. Learned counsel for the petitioners placed reliance on the judgment in the case of **Bimla Tiwari Vs. State of Bihar and others (Special Leave Petition (CRL.) No. 834-835 of 2023)** at para 10, the Hon'ble Apex Court has held that "we would reiterate that the process of criminal law cannot be utilized for arm-twisting and money recovery, particularly while opposing the prayer for the bail." The petitioner no. 1 has got three criminal antecedents and the petitioner no. 2 has got two criminal antecedents as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

7. Considering the aforesaid facts and circumstances as well as the nature of allegation of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Bettiah, West



Champaran in connection with Bettiah Town P.S Case No. 676
of 2022, subject to conditions as laid down under Section 438(2)
of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

Jyoti/-
shweta/-

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