

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57329 of 2024

Arising Out of PS. Case No.-554 Year-2018 Thana- ARARIA District- Araria

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1. Anita Devi Wife of Late Kalanand Yadav R/O Vill.- Nagrahi, P.S.- Raniganj, Dist.- Araria.
 2. Dipak Kumar @ Deepak Kumar Yadav Son of Late Kalanand Yadav R/O Vill.- Nagrahi, P.S.- Raniganj, Dist.- Araria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-09-2024 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 419, 420, 467, 468, 471/34 of the Indian Penal Code.

3. As per the prosecution case, the informant has purchased 1 acre 04 decimal of land from her mother for consideration money of Rs. 71,000/-. The informant alleged that co-accused Binod Yadav, who is full brother of her, prior to registration of the said land he on 15.10.2007 fraudulently got executed sale deed in his favour in registry office from her mother-in-law, Anita Devi (the petitioner) by impersonating her



mother-in-law in place of her mother.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that after lapse of ten years of the alleged occurrence the present complaint case has been filed against the petitioners and the complaint case was sent by the competent Court before the police and the police has registered the said complaint case and investigation is going on till date. He further submits that there is admitted land dispute between the parties and there is no specific overt act against the petitioners. The petitioner no. 2 is the identifier. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the fact that it is civil dispute between the parties and there is delay of about 10 years in lodging the present F.I.R., 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 Araria P.S. Case No.554 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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