

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61202 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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1. Chandeshwar Mishra @ chandeshwar Tiwari Son of Late Funfun Mishra Resident of Village -Thakraha, P.S. Thakraha, Dist. West Champaran
 2. Sunaina Devi wife of Atal Bihari Resident of Village -Thakraha, P.S. Thakraha, Dist. West Champaran
 3. Atal Bihari Son of Prithvi Nath Tiwari Resident of Village -Thakraha, P.S. Thakraha, Dist. West Champaran
 4. Bablu Tiwari Son of Atal Bihari Resident of Village -Thakraha, P.S. Thakraha, Dist. West Champaran
 5. Dipu Tiwari Son of Atal Bihari Resident of Village -Thakraha, P.S. Thakraha, Dist. West Champaran
 6. Mansa Mishra Son of Late Devta Mishra Resident of Village -Thakraha, P.S. Thakraha, Dist. West Champaran
 7. Sonu Tiwari Son of Haricharan Tiwari Resident of Village -Thakraha, P.S. Thakraha, Dist. West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Astuni Tiwari son of Late Sharma Tiwari Resident of Village -Thakraha, P.S. Thakraha, Dist. West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Vijay Kr Singh No. 1, Advocate
For the State	:	Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-09-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 420, 467, 468 and 471 of the Indian Penal Code.

3. As per complaint case, Petitioner No. 1 is alleged to have fraudulently sold land of the complainant in favour of



Petitioner No. 2 without any right, title or possession over the land in question.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are innocent and have falsely been implicated in this case. Petitioner No. 1 is seller, Petitioner No. 2 is purchaser, Petitioner No. 3 is husband of Petitioner No. 2, Petitioner Nos. 4 and 5 are sons of Petitioner Nos. 2 and 3, Petitioner No. 6 is witness to the sale deed and Petitioner No. 7 is identifier. As a matter of fact, complainant and Petitioner No. 1 are *patidars* and Petitioner No. 1 has sold the land which falls in his share. Moreover, from bare perusal of the complaint petition it is apparent that dispute involved in the present case relates to sale and purchase of land, which is purely civil in nature. None of the acts allegedly committed by these petitioners would give rise to any criminal liability.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances and nature of dispute involved between the parties, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within



a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bagaha, West Champaran, in connection with Compliant Case No. 32 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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