

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65117 of 2024

Arising Out of PS. Case No.-1559 Year-2021 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. Reena Kumari Wife of Mahendra Prasad Choudhary R/o Village - Bakaur, P.S. - Supaul, District - Supaul, State- Bihar
 2. Mahendra Prasad Choudhary Son of Late Jageshwar Prasad Choudhari R/o Village - Bakaur, P.S. - Supaul, District - Supaul, State- Bihar
 3. Rinku Devi Wife of Rakesh Kumar Sinha R/o Village - Bhaua, Ramnagar Chakdaud, P.S.- Patori, District- Samastipur, State- Bihar
 4. Rakesh Kumar Sinha Son of Late Rajendra Prasad Sinha R/o Village - Bhaua, Ramnagar Chakdaud, P.S.- Patori, District- Samastipur, State- Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rohit Kumar Choudhary Son of Late Mohan Chaudhary R/o Village - Chaksalem, P.S.- Patori, District- Samastipur, State- Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kuldeep Kumar
For the Opposite Party/s : Mr. Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 21-10-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Complaint Case No. 1559 of 2021, in which cognizance has been taken for the offences punishable under Sections 341/323/504/506/420 of the Indian Penal Code.
3. The prosecution case, as per the complaint filed by Opposite Party No. 2, is that the petitioner no. 3



purchased a piece of land along with house from co-accused Kiran Devi, mother of the Opposite Party No. 2, by way of registered sale deed, having Khata No.185, (423 new), Khesara No. 692 (old)/1347 and 1348(new), having an area of 5 decimal. The complainant has alleged that the accused persons abused and made noise at his shop, which is situated on the subject land.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to land dispute. The petitioner no. 3 is purchaser of the subject land and house by way of registered sale deed, dated 03.09.2021, from the mother of the complainant- Opposite Party No. 2. The complainant has filed Title Suit No. 93 of 2021 and Partition Suit No. 473 of 2014. The petitioner no. 4 is husband of the petitioner no. 3 and petitioner no. 1 is the sister of the complainant and petitioner no. 2 is the husband of the petitioner no. 1.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the nature of allegation and the fact that there appears to be land dispute between the parties, I am inclined to grant the petitioners privilege of anticipatory bail.



6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Samastipur, in connection with Complaint Case No. 1559 of 2021, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Jyoti Kumari/-

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