

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68460 of 2023

Arising Out of PS. Case No.-131 Year-2022 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. BHAGVAT SAFI @ BHAGWATI SAFI Son of Late Ramyash Safi R/o vill - Bhutha, P.S. - Laukahi, Distt. - Madhubani
 2. Vimaldev Safi @ Bimaldeb Safi Son of Late Ramyash Safi R/o vill - Bhutha, P.S. - Laukahi, Distt. - Madhubani
 3. Kamaldev Safi Son of Late Ramyash Safi R/o vill - Bhutha, P.S. - Laukahi, Distt. - Madhubani
 4. Yuguldev Safi @ Yugal Dev Safi Son of Late Ramyash Safi R/o vill - Bhutha, P.S. - Laukahi, Distt. - Madhubani
 5. Baidhnath Safi @ Badiyanath Safi Son of Bhagvat Safi @ Bhagwati Safi R/o vill - Bhutha, P.S. - Laukahi, Distt. - Madhubani
 6. Chotu Safi @ Jagarnath Safi @ Jagarnath Son of Bhagvat Safi @ Bhagwati Safi R/o vill - Bhutha, P.S. - Laukahi, Distt. - Madhubani
 7. Chandeshvar Safi @ Chandeshwar Prasad Sahu @ Chotu Safi Son of Late Mangal Sahu R/o vill - Jhitki, P.S. - Laukahi, Distt. - Madhubani

... .. Petitioners.

Versus

1. The State of Bihar
2. Yadunanadan Prasad Sahu Son of Late Misri Lal Sahu R/o vill - Bhutha, P.S. - Laukahi, Distt. - Madhubani

... .. Opposite Parties.

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s	:	Mr. Mohammed Arif, APP
For the O.P. No.2	:	Mr. Baleshwar Kamat, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-03-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State assisted by learned counsel for the opposite party no2.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 386, 420, 311, 379, 420, 467, 468 and 504/34 of the Indian



Penal Code.

3. Petitioners in association of other co-accused along with clerk of the Registry are said to have changed the deed of land of the complainant which the complainant was going to sell to the petitioners. The further allegation is that they assaulted the complainant and also took Rs.5,000/- and three signatures of the complainant on plain paper.

4. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. It is further submitted that the complainant merely to harass the petitioners and to justify her illegal act and earlier previous animosity with petitioners and his family members has instituted the present false case against the petitioners and others. It is further submitted that moreover the dispute *inter se* is civil in nature for which criminal prosecution has been launched. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel for the opposite party no.2 opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case as well as the fact that nature of the dispute between the parties is civil, 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 C.R. Case No.131 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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