

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69820 of 2024

Arising Out of PS. Case No.-947 Year-2023 Thana- SARAN COMPLAINT CASE District-
Saran

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1. Nitish Kumar Son of Kalika Ray @ Kalika Rai Resident of Village - Fulchak, Lodipur, P.O. - Chirand, P.S. - Doriganj, District - Saran @ Chapra
 2. Kalika Rai @ Kalika Ray Son of Daroga Ray Resident of Village - Fulchak, Lodipur, P.O. - Chirand, P.S. - Doriganj, District - Saran @ Chapra
 3. Pintu Kumar Yadav @ Pintu Yadav Son of Kalika Ray @ Kalika Rai Resident of Village - Fulchak, Lodipur, P.O. - Chirand, P.S. - Doriganj, District - Saran @ Chapra
 4. Pinku Kumar Rai @ Piku Yadav @ Pinku Yadav Son of Kalika Ray @ Kalika Rai Resident of Village - Fulchak, Lodipur, P.O. - Chirand, P.S. - Doriganj, District - Saran @ Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dr. Randhir Kumar Singh Son of Late Raghuwansh Singh Resident of Village - Rasalpura, P.S. - Doriganj, District - Saran @ Chapra

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rakesh Mohan Singh, Adv
For the Opposite Party/s :	Mr.Pradeep Narain Kumar, APP
	Mr. Avanindra Kumar Jha, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-09-2024 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the OP No. 2.
2. The petitioners apprehend their arrest in connection with Saran @ Chapra Complaint Case No. 947 of 2023 registered for the offences punishable under Sections 379 and 149 of the Indian Penal Code.
3. The Court initially was inclined to grant the



privilege of anticipatory bail to the petitioners on the ground that the dispute appears to be civil in nature as it has been pleaded at Para-6 of the anticipatory bail application that a Title Suit No. 263 of 2024 is pending before the court of learned Munsif-II, Chapra at Saran as such a civil dispute is going on in between the parties. Further the allegation in the complaint as alleged by the complainant is that the accused persons harvested and fled with the wheat crops standing on the purchased land of the informant's father.

4. Since it was pleaded that a civil dispute was going in between the parties as such to the Court it appeared that the dispute was civil but then learned counsel appearing on behalf of the OP No. 2 submitted that petitioners are neither plaintiff nor defendant in the Title Suit No. 263 of 2024, rather a misleading statement has been made at para-6 of the anticipatory bail application to seek anticipatory bail. It is also submitted that process under Section 82 Cr.P.C. has been issued against the petitioners.

5. Considering the submissions made by the learned counsel appearing on behalf of the OP No. 2, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.



6. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

(Satyavrat Verma, J)

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