

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69709 of 2023

Arising Out of PS. Case No.-322 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

1. TIPAN YADAV SON OF JAINATH YADAV RESIDENT OF VILLAGE- BHUSHULA, PS- ARA MUFFASSIL, DIST- BHOJPUR
2. RAJENDRA SHARMA SON OF LATE RAM DEV SHARMA RESIDENT OF VILLAGE- HASANPURA, PS- ARA MUFFASSIL, DIST- BHOJPUR
3. BALMUKH SINGH @ MUSA YADAV SON OF LATE NANHAK SINGH RESIDENT OF VILLAGE- BHUSHULA, PS- ARA MUFFASSIL, DIST- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Shiv Prasad Gupta, Adv.
For the Opposite Party/s :	Mr.Nagendra Prasad, APP.
	Mr. Ramadhar Shekhar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-01-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in Ara Muffasil P.S. Case No. 322 of 2023 registered for the offences punishable under Sections 406, 420, 467, 468, 471, 120(B), 34 of the Indian Penal Code.

3. Allegedly, having conspiracy and with a view to grab the land in question, petitioner no.1 purchased the said land by virtue of a registered sale deed No. 4534 dated 25.03.2023. Petitioner no. 2 & 3 are witness of the sale deed.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place.



Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is civil dispute between the parties. It is further submitted that petitioner no.1 has purchased the land in question only after the assurance of co-accused Baban Kunwar that the said land is free from any encumbrance and he is the absolute owner of the said land. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail and submits that there is serious allegation against the petitioner no.1 to purchase the land in question from co-accused Baban Kunwar after knowing that the said land does not belong to him rather it belongs to the informant.

6. Considering the nature of the offence as well as the report of Circle Officer, Ara Sadar, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

(Anjani Kumar Sharan, J)

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