

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71862 of 2024

Arising Out of PS. Case No.-609 Year-2014 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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1. Gauri Devi W/o- Mohan Yadav @ Mohan Singh Village- Khemkaran Sarai Ps- Kurtha Dist- Arwal
 2. Parvati Devi W/o- Late Subedar Yadav Village- Khemkaran Sarai Ps- Kurtha Dist- Arwal
 3. Santosh Kumar Son of Mohan Yadav @ Mohan Singh Village- Khajurwana Ps- Shakurabad Dist- Jehanabad
 4. Lalu Prasad Son of Mohan Yadav @ Mohan Singh Village- Khajurwana Ps- Shakurabad Dist- Jehanabad
 5. Kalawati Devi W/o- Ashok Kumar Village- Khajurwana Ps- Shakurabad Dist- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramashish Devi @ Saraswati Devi W/o- Shambhu Sharan Singh Village- Salempur Ps- Parasbigha Dist- Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Paras Nath, Advocate. Mr. Sailesh Kumaar, Advocate. Mr. Mukesh Kumar, Advocate.
For the State	:	Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-10-2024 Heard Ld. counsel for the petitioners and Ld. APP
for the State.

2. The petitioners seek bail, apprehending their arrest, in connection with Complaint Case No. 609 of 2014 filed for the offences punishable under Sections 467, 468 and 120(B) of the Indian Penal Code.

3. As per allegation, the land of the complainant has



been sold by petitioner No. 2 Parvati Devi to the rest petitioners.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and they have falsely been implicated in this case and even as per allegation, no offence is made out. It is a matter of civil dispute and the complainant has remedy to go to Civil Court to vindicate her title and at this stage learned counsel for the petitioners submits that the Title Suit is already going on between the complainant and the petitioners.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioners have got no criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction



of Kumari Dimpi, learned Judicial Magistrate, 1st Class, Jehanabad, in connection with Complaint Case No. 609 of 2014, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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