

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80484 of 2024**

Arising Out of PS. Case No.-118 Year-2024 Thana- SARAI District- Vaishali

1. Ram Janam Sahani S/O Hari Nath Sahani Resident of Village- Talgahra, Police Station- Sarai, Distt.- Vaishali.
2. Chhotu Kumar S/o Ramdas Sahani Resident of Village- Talgahra, Police Station- Sarai, Distt.- Vaishali.
3. Arbind Sahani S/O Shailendra Sahani @ Shailanath Sahani Resident of Village- Talgahra, Police Station- Sarai, Distt.- Vaishali.
4. Manjit Sahani @ Manjit Kumar @ Manjit Kumar Sahani S/O Shailendra Sahani @ Shailanath Sahani Resident of Village- Talgahra, Police Station- Sarai, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      10-12-2024      1.                      Heard learned Counsel for the petitioners and learned APP for the State.
2.                      This application, for grant of anticipatory bail, arises out of Sarai PS case no. 118 of 2024, disclosing offences punishable under Section 363, 364, 365/34 of the Indian Penal Code.
3.                      The prosecution story, as per the First Information Report, is that on 29.05.2024 in the morning, the petitioners along with 3-4 unknown persons arrived at the door of the informant and took away her husband along with them forcibly



and got the sale deed of ancestral land of her husband executed.

It is alleged that the informant has suspicion that her husband has been kidnapped and killed by the accused persons.

4. Learned Counsel for the petitioners submits that petitioners have falsely been implication in this case due to the fact that the sale deed has been executed by her husband for a piece of land situated at khata no. 85, plot no. 227 having an area of 4 decimal for entire consideration amount of Rs. 1,40,000/-. Referring to Annexure-2, which is a sale deed executed by the informant's husband dated 29.05.2024, learned counsel submits that photograph of informant's husband appears along with the photographs of purchasers i.e. the petitioners. From perusal of the same, it would be evident that sale deed was executed with the consent of informant's husband. Informant's husband appeared and his statement was recorded under Section 164 Cr.P.C., in which he has falsely stated that intoxicant was administered to him by the petitioners and they got his land registered forcibly without giving any consideration amount. He also submits that the statement of informant's husband under Section 164 Cr.P.C. is motivated in order to deny the sale of the land in favour of the petitioner.

5. Regard being had to the submissions made on



behalf of the parties and taking into consideration the nature of allegation and the materials available on record, I am inclined to grant the privilege of anticipatory bail to the petitioners.

6. This application is, accordingly, allowed.

7. Let petitioners, abovenamed, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Sarai PS case no. 118 of 2024,, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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