

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82500 of 2023

Arising Out of PS. Case No.-514 Year-2019 Thana- GARKHA District- Saran

1. RAJ KUMAR RAI, S/O Ramanand Rai Mohalla- Ganga Sadan Chhota Telpa, P.O. Chapra Gandhi Chowk, Ps. Chapra Town, Dist. Saran (Chapra)
2. DILIP KUMAR RAI, S/O Ramanand Yadav Village- Mubarakpur, P.O. Gurukul Mehiya, Ps. Garkha, Dist. Saran (Chapra).
3. RATNESH RAI S/O Asharfi Rai Village- Mubarakpur, P.O. Gurukul Mehiya, Ps. Garkha, Dist. Saran (Chapra).

... .. Petitioner/s

Versus

THE STATER OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Brij Kishor Mishra, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-01-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 420, 324, 467, 468, 471, 504 and 120B of the Indian Penal Code.

3. As per prosecution case, these petitioners fraudulently purchased the land of the complainant from one Bal Mukund Shrivastava.

4. It is submitted by learned counsel appearing on behalf of the petitioners that the sale deed in question was executed by one Bal Mukund Shrivastava in favour of Petitioner



Nos. 1 and 2 in which Petitioner No. 3 is witness. Petitioner Nos. 1 and 2 are purchasers and they have paid the consideration amount for the land in question and thereafter got the sale deed executed. Informant and others have already filed a title suit bearing Title Suit No. 543 of 2019 for declaration of the right, title and possession over the said land. The nature of dispute is of civil nature and no criminal liability can be fastened over the petitioners for the same. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances and nature of accusation, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged 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 Additional Chief Judicial Magistrate-4th, Chapra, District- Saran, in connection with Garkha P.S. Case No.514 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal



Procedure.

(Prabhat Kumar Singh, J)

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