

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85939 of 2024

Arising Out of PS. Case No.-229 Year-2024 Thana- PARBATTa District- Khagaria

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1. Kanaklata @ Kanaklata Devi Wife of Pintu Kumar Gupta Resident of Chakraprayag, PS- Parbatta, District- Khagaria
 2. Urmila Devi Wife of Late Gajendra Prasad Gupta Resident of Chakraprayag, PS- Parbatta, District- Khagaria
 3. Suman Kumar Son of Pashupati Gupta Resident of Chakraprayag, PS- Parbatta, District- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jaimala Devi Wife of Subhash Gupta Resident of Village- Chakraprayag, PS- Parbatta, District- Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Adv

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioners and learned
A.P.P., for the State.

2. The petitioners are apprehending their arrest in connection with Parbatta P.S. Case No. 229 of 2024 for the offence U/s 419, 420, 467, 468, 471, 385, 506 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the land bearing Khata No, 36, Kheshra No. 114 and 114/152 having an area of 2 Bigha, 11 Khata, 15 Dhur has been registered in the name of informant's grand father-in-law. Further, the petitioners and the



co-accused persons are alleged to have demanded Rs. 10 lacs from informant as an extortion money and they have also created a false and fake sale deed pertaining to the said land which was verified from the registry office whereby the sale deed was found to be forged.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submits that Vikash Kumar (son of the informant) has filed Title Suit before the learned Munsif Court, Gogri against the petitioners vide Title Suit No. 55 of 2023. The allegation of demanding of Rs. 10 lacs against the petitioners is ornamental. There is delay of one month in lodging the F.I.R. without giving any plausible explanation for the same. So, there is a bonafide land dispute between the parties.

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

6. Keeping in view of the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/-



(Ten Thousand) each with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria, in connection with Parbatta P.S. Case No. 229 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr. P.C., as also with the following conditions:-

(i) One of the bailors should be close relative of the petitioners.

(ii) Petitioners shall co-operate in the trial and shall be present on each and every fixed date and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the learned trial Court.

(iii) If the petitioners tampers with the evidence or threatens the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) In case, the petitioners repeats offence of similar nature after enlargement on bail, their bail bonds may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

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