

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85094 of 2023

Arising Out of PS. Case No.-1297 Year-2022 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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1. Sarita Singh Wife Of Nitish Kumar Siingh Resident Of Vidyapati Nagar, Ward No.16, Police Station - Saharsa, District - Saharsa At Present Resident Of Village - Banhara, Police Station - Gangta, District - Munger
 2. Nitish Kumar Singh Son Of Ramanugrh Prasad Singh @ Baban Singh Resident Of Vidyapati Nagar, Ward No.16, Police Station - Saharsa, District - Saharsa At Present Resident Of Village - Banhara, Police Station - Gangta, District - Munger

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Nagendra Kumar Son Of Naresh Mohan Thakur Resident Of Village - Nawalganj, Mainpur, Police Station - Bhargama, District - Araria At Present Resident Of Shanbhaji Nagar, Barangaon Road Bhusawal, Police Station - Bhusawal, District - Jalgoan (maharashtra)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Singh

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Complaint Case No. 1297 of 2022 dated 24.11.2022 registered for the offences punishable under Sections 420, 406, 120B of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons sold pieces of land to the informant (in the



name of the informant's wife). Later, it was found that the said land was already sold to another person and caused loss of Rs. 52 lacs to the informant.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. It is a case of civil dispute. Learned counsel has submitted that the complainant and his wife have filed a Money Suit Case No. 1/2023 against the petitioners and the aforesaid money suit is pending in the Court of learned Sub Judge 1st Saharsa.

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

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Saharsa in connection with Complaint Case No. 1297 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal



Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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