

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12708 of 2024

Arising Out of PS. Case No.-39 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

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1. SUDAMA THAKUR S/O VISHUN THAKUR Vill. Sarotar Ps.
DUMARIYAGHAT, DISTRICT- EAST CHAMPARAN
 2. SANJU DEVI W/O SANJAY THAKUR VILLAGE- SAROTAR, P.S.
DUMARIYAGHAT, DISTRICT- EAST CHAMPARAN
 3. CHITRANJAN THAKUR S/O DHRUV THAKUR VILLAGE- SAROTAR,
P.S. DUMARIYAGHAT, DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 11-03-2024 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case
registered for the offence punishable under Sections 420, 467,
468, 471, 384, 504, 506 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioners submits that
petitioner no.1 is a person with clean antecedent and petitioner
no.2 and 3 have antecedent of one case. It is next submitted that
the petitioners have been falsely implicated in the instant case
by the informant with an allegation that the petitioner no.1 sold
her land in favour of Sanjay Thakur. It is next submitted that it



has been specifically asserted at para-7 of the anticipatory bail application that the land appertaining to Khata No.220, Khesra No.4327, Area 1.5 katha is registered in the name of the father of petitioner no.1. It is further submitted that petitioner no.1 is the owner of the land in question and he sold his land to Sanjay Thakur. It is further submitted that the petitioner no.1 is aged about 81 years and he has remained a person with clean antecedent all through out and when he is at the fag end of his life why would he indulge in such an act of committing fraudulent transaction. It is also submitted that as far as petitioner no.2 and 3 are concerned, they are alleged to have conspired with the petitioner no.1 along with others in getting the sale deed executed in favour of Sanjay Thakur. It is next submitted that in the event if the informant is aggrieved by execution of the sale deed by the petitioner no.1 in favour of Sanjay Thakur in that event she has a remedy of getting the sale deed cancelled by proving the fact that the land in question belongs to her. It is thus submitted that a purely civil dispute has been given a criminal colour.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned



counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the case is pending/successor court in connection with Town P.S. Case No.39/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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