

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1871 of 2024

Arising Out of PS. Case No.-1344 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Satendra Kumar @ Satyendra Kumar son of Late Umed Singh Village- Mahuli Belaon Ps- Parsa Bazar Dist- Patna
 2. Satendra Prasad Singh @ Satyendra Prasad Singh son of Sri Indra Dev Singh Village- Bhogipur Ps- Sonagopalpur Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Smt. Riju Sinha wife of Ram Sawroop Sinha R/o- Sardar Patel Colony telephone Exchange Road Kurji Po- Sadakat Ashram Ps- Digha Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Mishra
For the Opposite Party/s	:	Mrs. Sharda Kumari
For the Complainant	:	Mr. Uday Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 04-03-2024 Heard learned counsel for the petitioners, learned counsel for the complainant and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Complaint Case No. 1344 (C) of 2022, for the offences punishable under Sections 420/468 of the Indian Penal Code.

3. As per the prosecution case, the petitioners and the co-accused are alleged to have grabbed amount of Rs. 21,51,000/- from the complainant to execute the sale deed in her favour but the accused persons did not do so and also threatened



the complainant and not returned the said money.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and has falsely been implicated in this case. The complainant had concealed the true facts of this case, the real fact is that the complainant could not arrange the total consideration amount up to several months and due to that the land could not be registered in her name and there after she was pressurizing the petitioners to execute the sale deed of only for three katha land from the front side, which could not be possible. The petitioner no. 1 has one criminal antecedent in which he is on bail whereas petitioner no. 2 has no criminal antecedent. Learned counsel for the petitioner place reliance on the judgment in the case of ***Bimla Tiwari vs. State of Bihar & Others (Special Leave Petition CRL.) Nos. 834-835 of 2023*** at para 10, the Hon'ble Apex Court has held that "we would reiterate that the process of criminal law cannot be utilized for arm-twisting and money recovery, particularly while opposing the prayer for bail."

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

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the



petitioners, 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 the learned court concerned, Patna Sadar, District- Patna in connection with Complaint Case No. 1344 (C) of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with the following condition:-

- (i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, their bail bonds are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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