

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10464 of 2025

Arising Out of PS. Case No.-324 Year-2024 Thana- WAJIRGANJ District- Gaya

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1. Kanhaiya Gupta @ Kainhaiya Prasad Gupta S/o- Late Arjun Prasad Gupta
Both Residents of Village- Bhareti, Police Station-Wazirganj, District- Gaya
 2. Praduman Kumar @ Praduman Raj Gupta @ Pradyuman Raj Gupta S/o-
Kanhaiya Gupta @ Kanhaiya Pd. Gupta Both Residents of Village- Bhareti,
Police Station-Wazirganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pratik, Advocate
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP
For the Informant	:	Mr. Binay Kumar, Advocate
		Mr. Avinash Gaurav, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-03-2025

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Wazirganj P.S. Case no. 324 of 2024 registered under sections 420, 419, 406, 467, 468, 471 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that he purchased the land measuring an area of 12.375 decimal as described in the complaint for valuable consideration from the petitioner no. 1, however on an application having been filed for mutation, favourable order was not passed on account of objection filed by one Deepa Devi, wife of Santosh Prasad



Gupta, stating about pendency of Title Suit no. 15 of 2014 with respect to the same land. The informant further states that on asking for his money back, the same was not returned and the petitioner no.2 misbehaved with him.

4. Learned counsel for the petitioners submits the petitioners have been falsely implicated in the case. It is submitted that though Title Partition Suit no. 220 of 2011 was filed by his brother Santosh Prasad Gupta, husband of Deepa Devi, on the death of the mother of petitioner no.1 in the year 2019 a comprise was arrived at between the parties in the year 2023. It was only thereafter that the sale deed was lawfully executed by the petitioner no.1. It is submitted that in any case of the matter, the allegations are purely civil in nature revolving around execution of sale deed, order passed in mutation case etc. The petitioners undertake to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegations against the petitioners in the F.I.R. and the pendency of Title Partition Suit no.220 of 2011 vide plaint brought on record as Annexure-2 to



the petition, in the facts and circumstances of the case it is directed that both the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Wazirganj P.S. Case no. 324 of 2024 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Gaya.

(Partha Sarthy, J)

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