

Arising Out of PS. Case No.-2975 Year-2015 Thana- KATI HAR COMPLAINT CASE
District- Katihar

... .. Petitioner/s

Versus

- Opposite Party/s

For the Petitioner/s : Mr.Bimal Kumar
For the Opposite Party/s : Mr.Binod Kumar
Mr.Bindeshwar Prasad Singh, Adv

3 13-08-2025 1. Heard learned counsel for the petitioners, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 406, 420 and 34 of Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and in sum and substance, the allegation as alleged in the complaint case by the complainant is that the accused persons including the petitioners in conspiracy with each other dishonestly sold the land of the



complainant at Mauja-Sujapur, Khata No. 266, Khesra No. 604, area 6.60 decimal to other co-accused persons by committing cheating.

4. The learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR, it would manifest that the dispute is purely civil to which a criminal colour has been given. It is next submitted that the land which was sold by the petitioners to their purchasers was mutated in their name and against the order of mutation, complainant and his brother filed a Mutation Revision Case No. 120 of 2017, which was rejected by the A.D.M Katihar. It is further submitted that complainant has also filed a title suit, which is pending adjudication before a court of competent civil jurisdiction.

5. The learned APP and the learned counsel appearing on behalf of the complainant opposes the anticipatory bail application, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that mutation revision filed by the complainant was rejected by the A.D.M Katihar and title suit is pending between the parties.

6. 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 trial court 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 the learned trial court where the case is pending/successor court in connection with Complaint Case No. 2975 of 2015, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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