

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74141 of 2024

Arising Out of PS. Case No.-133 Year-2024 Thana- KOPA District- Saran

1.

Bhrigunath Tiwari S/o Madho Tiwari R/o vill - Basadila, P.S. - Kopa, Distt. - Saran
2.

Pradeep Kumar Tiwari S/o Bhrigunath Tiwari R/o vill - Basadila, P.S. - Kopa, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Mishra, Advocate
		Mr. Ajay Kumar Tiwari, Advocate
For the Informant	:	Ms. Alka Panday, Advocate
For the State	:	Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 29-01-2025 Heard Mr. Dhananjay Mishra, learned counsel appearing for the petitioners, Ms Alka Panday, learned counsel for the informant and Mr. Choubey Jawahar, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Kopa P.S. Case No. 133 of 2024 dated 07.08.2024 registered for the offences punishable under Sections 316(2) and 318(4) of the Bharatiya Nyaya Sanhita (B.N.S.) read with Section 3(5) of the B.N.S.

3. The main submissions advanced by the petitioners' counsel are that the instant matter relates to the non-payment of



Rs. 3,35,000/- which is said to have been transferred by the informant for the purpose of transferring a land and the said dispute is completely of civil nature and the petitioners have fair and clean antecedent. It is further submitted that the informant is a police sub-inspector and he is creating pressure on the petitioners.

4. Learned counsel appearing for the informant has vehemently opposed the bail prayer of the petitioners and submits that the petitioners fraudulently took a sum of Rs. 3,35,000/- from the informant on the pretext of selling a land but after taking the said amount, they did not execute the sale deed of a particular land and thereby cheated the informant and regarding the payment of Rs. 3,35,000/-, sufficient details have been given by filing a counter affidavit.

5. Having considered the nature of allegation which relates to a civil wrong and also, taking into account the petitioners' fair and clean antecedent, this Court is inclined to grant the relief of anticipatory bail to the petitioners. Accordingly, let the petitioners named-above, 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 bond of Rs. 20,000/- (Rupees Twenty



Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Kopa P.S. Case No. 133 of 2024, subject to the conditions as laid down under Section 484(2) of the B.N.S.S.

(Shailendra Singh, J)

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