

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77365 of 2024

Arising Out of PS. Case No.-334 Year-2023 Thana- ROHTAS District- Rohtas

1. Abhay Singh Son of Late Bigan Singh Resident of Bakanoura, P.S.- Rohtas, Dist.- Rohtas.
2. Vinay Singh Son of Late Bigan Singh Resident of Bakanoura, P.S.- Rohtas, Dist.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Sadanand Roy, Advocate
For the State : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-02-2025 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 406, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, informant alleges that in the year 2018 co-accused Bigan Singh (deceased) took Rs. 4,86,000/- from the informant for the purpose of marriage of his daughter with an assurance that he will execute one *bigha* land in his favour but later on refused. It is further alleged that thereafter a *Panchayati* was conducted in which the accused persons agreed to return the money but till date they have neither executed the land nor returned the money.



4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are innocent and have committed no offence. Petitioners have falsely been implicated in this case merely because they happen to be sons of co-accused Bigan Singh, who is alleged to have taken money from the informant. There is no chit of paper in support of the allegations. It is not the case of the informant that these petitioners have taken any money. Petitioners are only alleged to have threatened the informant when he was ploughing the land of these petitioners and as such offence under Section 406 of the Indian Penal Code is not made out against these petitioners. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of learned Judicial Magistrate,
1st Class, Dehri, District- Rohtas in connection with Rohtas P.S.
Case No. 334 of 2023, subject to condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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