

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74266 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- SAMHO District- Begusarai

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1. Arun Rai, S/o- Badri Rai, R/o Village- Hemarpur, P.S. -Sambho, District- Begusarai
 2. Bipul Kumar @ Bullet Rai, S/o- Arun Rai, R/o Village- Hemarpur, P.S. -Sambho, District-Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Ekbal Chaudhary, S/o- Jai Jai Ram Chaudhary R/o- Bahadur Nagar, P.S.- Muffasil, Dist.- Begusarai At Present- R/o- Village- Hemarpur, P.S.- Sambho, Dist.- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mithlesh Prashad Singh, Adv.
For the State	:	Mr. Binod Kr. No. 3, APP
For the informant	:	Mr. Saket Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 29-01-2025 Heard Mr. Mithlesh Prashad Singh, learned counsel
for the petitioners, Mr. Binod Kr. No. 3, learned APP for the
State and Mr. Saket Kumar, learned counsel for the informant.

2. The petitioners apprehend their arrest in connection with Sambho P.S. Case No. 04 of 2024 dated 02.02.2024 registered for the offences punishable under sections 406, 420, 467, 468, 465, 120B, 323, 504 and 506 of the Indian Penal Code, arising out of Complaint Case No. 743 of 2023.

3. The main submissions advanced by learned counsel appearing for the petitioners are that the entire



prosecution case is based on false statements and the petitioners have been falsely made accused in this case with false allegations, in fact the petitioners are the real victims. Learned counsel further submits that the informant had to execute a sale deed for a piece of land of three *katha* in favour of one, namely, Ranju Kumari, wife of petitioner No.1 and mother of petitioner No. 2 after receiving the entire consideration amount of Rs. 8,70,000/- and the said sale deed was prepared for execution but at the time of execution of the sale deed, the informant flatly refused to execute the sale deed before Registry Office, Begusarai. Learned counsel further submits that after refusal by the informant for execution of sale deed, the petitioners made a complaint before the concerned police officer and the matter was referred to Gram Panchayat where the dispute was amicably settled in between them and from the perusal of the decision of the Gram Panchayat (Annexure - 'P/2'), it is clearly evident that the informant is liable to pay Rs. 10,00,000/- (Rupees Ten Lakhs) to the petitioners and no case of sections 406, 420, 467, 468, 465 and 120B of IPC is made out against the petitioners.

4. Learned APP appearing for the State as well as learned counsel appearing for the informant has opposed the



bail prayer of the petitioners.

5. Considering the aforesaid submissions advanced by petitioners’ counsel and also taking into account the petitioners’ fair and clean antecedent, in my opinion, it is a fit case 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 Sambho P.S. Case No. 04 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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