

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88834 of 2024

Arising Out of PS. Case No.-453 Year-2024 Thana- HARSIDHI District- East Champaran

1. Awadhesh Sahani Ramashray Sahani Village - Pakadiya Tola Kubara Ward No, 17, P.S. - Harsidhi, District - East Champaran
2. Udesb Sahani S/O Ramashray Sahani R/O Village - Pakadiya Tola Kubara Ward No, 17, P.S. - Harsidhi, District - East Champaran.
3. Jhunna Sahani @ Om Prakash Sahani @ Junna Sahani Son of Kishun Sahani R/O Village - Pakadiya Tola Kubara Ward No, 17, P.S. - Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Madhurendra Kumar, Advocate
For the Opposite Party/s	:	Mr. Zainul Abedin, A.P.P.
For the Informant	:	Mr. Kundan Rathore, Advocate
		Mr. Dinesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-01-2025 Heard learned counsel for the petitioners, informant and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 308(3), 338, 115(2), 336(3), 318(4), 351, 352, 3(5) of the Bharatiya Nyaya Sanhita.

3. As per F.I.R., all the named accused persons including these petitioners created forged and fabricated sale deed regarding purchase of the land of informant and demanded extortion of Rs. 10 lacs to give possession.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have committed no offence. Petitioners are neither vendor nor vendee of the land in question and they have been made accused in this case merely because they happen to be family members of co-accused Dukhi Sahani, in whose favour the alleged sale deed was executed. The land in question was purchased from the descendant of *Kahtiyani raiyat* namely, Renu Devi through registered sale deed No. 6959 dated 3.12.12 and thereafter Jamabandi No. 3365 was also created in the name of co-accused Dukhi Sahani who is in possession of the said land and is paying rent for the same. Moreover, it is a case of civil dispute. Petitioners claim clean antecedent.

5. Learned counsel for the State as well as informant vehemently opposed the bail application.

6. Considering the nature of accusation and dispute, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, 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 Judicial Magistrate, 1st Class, East Champaran, Motihari in connection with Harsidhi P. S. Case No. 453 of 2024 corresponding to GR Case No. 4948 of



2024, subject to condition as laid down under Section 482(2) of
the Bhartiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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