

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71595 of 2022

Arising Out of PS. Case No.-135 Year-2022 Thana- NAYAGAON District- Saran

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1. Yogendra Nath Pathak @ Yogendra Pathak Son Of Late Yamuna Pathak
Resident Of Village- Nayagaon, P.O. And P.S.- Nayagaon, District- Saran
 2. Suraj Kumar Pathak Son Of Yogendra Nath Pathak @ Yogendra Pathak
Resident Of Village- Nayagaon, P.O. And P.S.- Nayagaon, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Prasad Singh
		Mr. Rajeev Kumar
For the Opposite Party/s:		Mr. Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-01-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 420, 467, 468, 471, 379, 504, 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that the documents as enclosed with the application filed by the informant for the FIR is not the part of FIR, therefore, it cannot be said that the allegation levelled by the informant is true. He submits that the land in question as well as other land is the Bakast land of the Ex-landlord Uttim Narayan Singh son of Shiv Baran Singh who settled the same



through settlement deed in favour of father of the petitioner no. 1 Late Yamuna Pathak who came in possession after settlement. He submits that the petitioner no. 1 being aggrieved by the intention of the informant and others, filed a Title Suit No. 214 of 2022 for declaration of title. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that this matter is purely civil in nature, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Nayagaon P.S. Case No. 135 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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