

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14942 of 2015

Arising Out of PS.Case No. -491 Year- 2013 Thana -BHABHUA District- BHABHUA (KAIMUR)

1. Arun Kumar Yadav son of Mishri Yadav
2. Sarvajeet Chaubey son of Late Sudama Chaubey
3. Rajendra Singh son of Late Mahesh Singh
4. Ranjeet Singh son of Banshidhar Yadav
All residents of Village : Saitha, P.S. : Sonhan, District : Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Sada Nand Ray

For the Opposite Party/s : Mr. Ram Chandra Singh (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-05-2015

Heard both sides.

The petitioners, four in number, apprehend their arrest in a case under Sections 420, 467 and other sections of the Indian Penal Code.

The informant made allegation that one Dhvani Agrawal was the widow of her brother Dharmendra Agrawal. Her brother died in the year 2000. Immediately after the death of Dharmendra Agrawal, his widow Dhvani Agrawal married with one Bansal and she named herself as Kriti Bansal. It is alleged that Dhvani Agrawal @ Kriti Bansal sold the entire property of her husband. Even the trust property was also sold. Learned counsel for the petitioners submits that the petitioners are purchasers and identifiers of the sale deed. The vendor has stated that if the

purchasers did not get any title, she would not be liable for that. The purchasers will get the title what the vendor had. It is also stated that Sri Niwas Singh and Birendra Kumar, who were also the purchasers, have already been enlarged on anticipatory bail vide order passed in Cr. Misc. No. 15352 of 2015.

On the other hand, Mr. Surendra Kumar Singh, learned counsel for the informant, submits that the petitioners have committed fraud in purchasing the property from Dhvani Agrawal @ Kriti Bansal.

Considering the facts aforesaid and the fact that the petitioners are *bon fide* purchasers from the widow of Dharmendra Agrawal, the brother of the informant, the above named petitioners, in the event of their arrest or surrender in the court below within four weeks from today, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua in Bhabua P.S. Case No. 491 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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