

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49965 of 2014

Arising Out of PS.Case No. -990 Year- 2009 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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1. Manju Devi Wife of Prem Sagar Singh
2. Prem Sagar Singh Son of Late Ram Nandan Singh
Both are resident of Village - Waina, Police Station - Ghosi in the district
of Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate
For the Opposite Party/s : Mr. Nirmala Kumari(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 09-04-2015 Heard learned counsel for the petitioners and
learned counsel for the State.

The petitioners apprehend their arrest in
Complaint Case No. 990 of 2009, registered for the offences
punishable under Sections 420, 468, 471, 406/34 of the Indian
Penal Code.

Learned counsel for the petitioners submits that
the present dispute has arisen out of a sale and purchase
agreement which had been instituted by the petitioners in
favour of complainant. It is submitted that for resolving the
said dispute, a Title Suit bearing Title Suit No. 237 of 2011 has
already been filed for obtaining a decree of specific performance
of contract. Learned counsel for the petitioner submits that in
the present case, the petitioners are being victimized only on

account of said agreement made for sale of their house. It is submitted that the deed in question could not have been executed because of the complainant's reluctance to pay the residuary amount agreed upon in the agreement for sale.

Considering the aforesaid submission and also the fact that Title Suit is pending with regard to same, let the above named petitioners, in the event of their arrest or surrender before the court below within a period of two weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Jehanabad in connection with Complaint Case No. 990 of 2009, subject to the conditions as laid down under Section 438(2) of the Indian Penal Code.

(Anjana Mishra, J)

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