

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37462 of 2015

Arising Out of PS.Case No. -132 Year- 2015 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Abulaish son of Late Mehadi Hussain
 2. Azrun Nesha @ Azrun wife of Abulaish
 3. Sabrun Nesha @ Sabrun wife of Yashin Miyan
 4. Yashin Mian @ Md. Yashin son of Late Suleman Miyan All are resident of Mohalla- Ghusukpur, Ward No. 24, Kalibagh, P.S.- Bettiah Town, District- West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. S.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-09-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 420,406,323 and 504/34 of the Indian Penal Code.

The prosecution case is that the informant gave two lacs sixty thousand rupees to petitioner nos. 2 and 3 for executing a sale deed with regard to a land and rest consideration amount of Rs.1,70,000/- was to be paid at the time of execution of sale deed but neither the sale deed was executed nor money was returned.



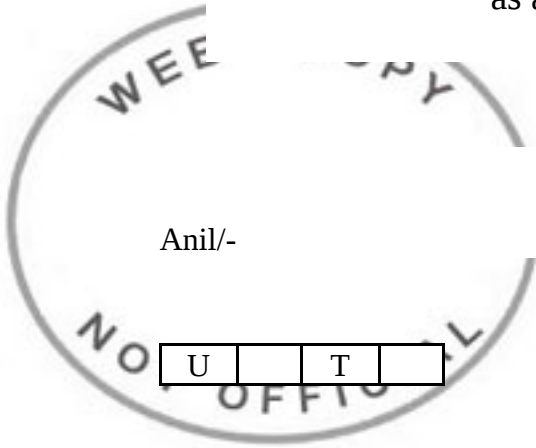
It is submitted by the learned counsel for the petitioners that the petitioners are ready to return Rs.2,60,000/- within six months in six monthly installments through bank draft submitted before the learned court below which will be released in favour of the informant on submission of the original Mahadanama executed between the parties.

The learned counsel for the informant undertakes that before the withdrawal of last installment of the draft, the informant will submit an application before the learned court below for withdrawal of the case.

Considering the present stand of the parties, let the above named petitioners be released on provisional anticipatory bail for six months in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bettiah, West Champaran in connection with Bettiah Town Kalibagh O.P. P.S. Case No.132 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The learned court below will confirm the

provisional bail of the petitioners on submission of six drafts
as aforesaid.



Anil/-

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(Dinesh Kumar Singh, J)