

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55195 of 2015

Arising Out of PS.Case No. -665 Year- 2014 Thana -BIHTA District- PATNA

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1. Bhikham Nonia, S/o Late Munni Beldar.
 2. Smt. Sarita Devi, W/o Bilendra Nonia.
- Both are residents of Village- Tikaitpur, P.S.- Bihta, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surajdeo Yadav
Mr. Dharmendra Kumar

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 22-12-2015 A supplementary affidavit has been filed to bring the correct copy of the deed of agreement to sale. Let it be kept on record.

Heard Mr. Surajdeo Yadav, learned counsel appearing for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in connection with Bihta P.S. Case No.665 of 2014 for the offences punishable under sections 420, 406 and 468/34 of the Indian Penal Code.

Mr. Yadav, learned counsel appearing for the petitioners with reference to the FIR placed at Annexure-1 submits that the case was registered on a complaint made by the

informant which after enquiry registered as an FIR. With reference to the allegation he submits that the charge against the petitioners is of after receiving the consideration amount not executing the sale-deeds within five months as provided under the agreement to sale. He submits that it is on this contractual breach that the criminal case has been instituted.

Having heard learned counsel for the parties and considering the nature of allegation set out against the petitioners, let the petitioners, namely, Bhikham Nonia and Smt. Sarita Devi in the event of their arrest or surrender within four weeks from today be released on bail upon each of them furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Danapur (Patna) in connection with Bihta P.S. Case No.665 of 2014 subject to the conditions as laid down under sections 438(2) of the Code of Criminal Procedure.

(Jyoti Saran, J)

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