

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13411 of 2015

Arising Out of PS.Case No. -928 Year- 2012 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

- =====
1. Punam Devi, wife of Ravi Kumar
 2. Ravi Kumar, son of Sudama Prasad
- Both resident of Village+ P.S.- Deo, District Aurangabad(Bihar)

.... Petitioner/s

Versus

1. The State of Bihar
2. Dasarath Yadav, S/o Late Ghuran Yadav, R/O Vill- Pandeypur,
P.S+P.O.+Dist- Aurangabad(Mufassil)

.... Opposite Party/s

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Appearance :

For the Petitioners : Mr. Anil Kr Singh No. 6, Advocate
For Opposite Party No.1 : Mr. Ram Bachan Singh (APP)
For Opposite Party No.2 : Mr.Lal Bahadur Singh, Advocate
Mr. Raj Kishor Prasad, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 24-09-2015 Heard learned counsel for the petitioners and the

learned counsel appearing on behalf of the State. Complainant

has also appeared after service of notice.

The petitioners are apprehending their arrest in
connection with Complaint Case No.928/2012/Tr. No.230/2015
for allegedly having committed the offence under Sections 420,
504 and 120B of the Indian Penal Code and Section 138 of the
N.I. Act.

It is contended by the learned counsel for the
petitioners that though the petitioners have purchased the land
from the complainant and have got the same mutated in their

names after following the due process of law, the petitioners were not given possession of the land and, therefore, they stopped payment of the consideration amount in favour of the complainant.

Learned counsel for the complainant submits that the petitioners have withheld payment for no valid reason and he being the owner of the plot is willing to hand over the possession to the petitioners on receipt of the rest consideration amount.

Considering the aforementioned facts and circumstances and since it is agreed upon by the petitioners that they will pay in cash to the complainant the rest amount of Rs.5,08,000/- on transferring possession of the land, let both the petitioners, above named, in the event of their arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad (Bihar), in connection with Complaint Case No.928/2012/Tr. No.230/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that no sooner the petitioners file their bail bonds, they shall approach the complainant within a period of one month with the rest consideration amount so that the possession can be effected in their favour.

(Anjana Mishra, J)

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