

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37763 of 2015

Arising Out of PS.Case No. -577 Year- 2014 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

- =====
1. Kamal Shukla @ Sharma
 2. Prakash Shukla @ Sharma
- Both sons of Late Mahabir Sharma

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-09-2015

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 419, 420, 467, 468, 471, 34 of the Indian Penal Code.

The prosecution case is that under an agreement made between the informant and the accused persons advance of Rs.1,12,500/- was made to co-accused Deokinandan Shukla, Rs.4,26,200/- to co-accused Pawan Shukla and Rs.13,93,300/- to co-accused Roop Kishore Shukla for transfer of a land measuring an area of 4500 sq. ft. On non-execution of sale deed subsequently, Rs.1,00,000/- was returned by co-accused Deoki Nandan Shukla when the rest amount was not returned. It is alleged against the petitioners that on their request also the informant gave advance money to the aforementioned three persons.

It is submitted by learned counsel for the petitioners that accusation of taking money is not against the petitioners and the petitioners have been roped in the present case since they happen to be cousin of Deokinandan Shukla, who received the part of advance money. Moreover, statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that the thrust of accusation is against the three above named accused persons, who received the money, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Bhagalpur in connection with Kotwali (Adampur) P.S. Case No.577 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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