

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20490 of 2016

Arising Out of PS.Case No. -3787 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA



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1. Sanjeev Kumar, aged about 41 years, Director S/o Sri Sambhu Nath Pandey, New Tech Residency Private Limited, A-44, 4th Floor, Gayandeep Apartment Plot No. 8, Mayur Vihar, Phase -1, P.S. Mayur Vihar, New Delhi
 2. Raushan Prakash, aged about 40 years, Managing Director, S/O Sri K.C. Prakash New Tech Residency Private Limited, D- 16/410, Block- D, Pocket- 16, Rohini Sector-7 P.S. Rohini, New Delhi- 110085.
 3. Alok Vats, aged about 46 years, Managing Director, S/O Sri Laliteshwar Prasad New Tech Residency Private Limited, C-32, Sector-33, Noida-201301, P.S. Noida, New Delhi
 4. Mukesh Kumar Rai @ Mukesh Kumar Ray, aged about 49 years, Managing Director, S/O Sri Manager Ray New Tech Residency Private Limited, CA 52, Peoples Co-operative Colony, Kankarbagh, Patna -20 P.S. Kankarbagh, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Krishna Sharma, D/o Achabat Prasad Singh, resident of Mohalla- Mahendru, Bhagirathi lane and Post- Mahendru, Police Station -Sultanganj, District- Patna.

.... Opposite Party/s

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Appearance :

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| For the Petitioner/s | : | Mr. Navin Kumar
Mr. Braj Nandan Singh |
| For the Opposite Party/s | : | Mrs. Archana Shahi
Mr. P.K.Jha(App) |
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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 06-09-2016 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection
with Complaint Case No. 3787(C) of 2013 for the offences
registered under Sections 420 and 406 of the Indian Penal Code

and Section 138 of the N.I. Act.

After hearing learned counsel for the parties and considering all the documents on record, it appears that a sale deed was executed by the opposite party no. 2 with regard to nine (9) decimals of land. There are many issues which are under controversy including pendency of title suit in the Court of Sub-Judge-VI, Patna City. It also appears that the petitioners have not been able to take possession of the land and for that very reason, they are not willing to fall into any further litigation and are willing to return whatever land.

Be that as it may, petitioners state that if, at all, the opposite party no. 2 files an application for cancellation of the deed with regard to the said land and returns the money paid by and due to the petitioners, the petitioners will also file an application stating that they are not willing to take the land any further. If such an application is filed before the appropriate Registration Officer then the said authority shall consider the rival claims and decide in accordance with law and pass orders by repudiating the sale deed executed by opposite party no. 2.

In view of such facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four 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 Judicial Magistrate, 1st Class, Patna in connection with Complaint Case No. 3787 (C) of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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