

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16218 of 2016

Arising Out of PS.Case No. -66 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Satya Narayan Sharma, Son of Late Kishun Mistri
2. Amit Kumar Sharma S/o Satya Narayan Sharma
3. Akshay Kumar Sharma Son of Satya Narayan Sharma All are resident of
Mohalla- Kajwalichak, S.P. Diwedi Road, P.S.- Kotwali, District-
Bhagalpur.

.... Petitioners

Versus

1. The State of Bihar.
2. Balram Kedia, S/o Aatma Ram Kedia, R/o Mohalla- S.P. Diwedi Road,
P.S. Kotwali, Distt- Bhagalpur.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Ranjan Kumar Jha, Advocate.
For the Opposite Parties : Mr. Dilip Kumar (App)
For the Informant : Mr. Ajay Kumar Thakur, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 26-07-2016 Heard both sides.

The petitioners apprehend their arrest in Kotwali (Adampur)
P.S. Case No. 66 of 2016 registered for the offences punishable under
Sections 406, 420, 379 and 504 of the Indian Penal Code.

The informant filed the Complaint Case No. 2429 of 2015
on the basis of which the present FIR is registered. The informant
alleged that he entered into an agreement with the petitioner and others
for developing the lands belonging to the petitioners.

It is submitted that the petitioners are bound by the
agreement executed between the parties. The informant may construct,
if he performs his part as per the agreement dated 19.10.2012.

Shri Ajay Kumar Thakur, learned counsel for the informant has also agreed that if both the parties act in accordance with the agreement, the informant has got no objection if the petitioners are granted anticipatory bail.

Considering the facts aforesaid and the fact that there is an agreement between the parties and if any party breaches the condition of agreement there shall be a case of civil nature for proper remedy and both the parties have agreed to act according to the terms and conditions of the agreement, 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, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur in Kotwali (Adampur) P.S. Case No. 66 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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