

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22083 of 2016

Arising Out of PS.Case No. -8 Year- 2015 Thana -LAHERIASARAI District- DARBHANGA

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1. Deo Narayan Chaudhary @ Deb Narayan Choudhary S/o Gokul Chaudhary resident of village - Supaul Bazar, P.S. Diraul, Distt. - Darbhanga
 2. Dilip Kumar Mahto @ Dilip Mahto S/o Late Ram Chandra Mahto village - Bari Durga Asthan, P.O. & P.S. Rosra, Distt. - Samastipur
 3. Deepak Kumar Mahto S/o Late Rajendra Prasad R/o Surhi Tola, Mahendru, P.S. Pirbahore, Distt. - Patna

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Dr. Ravindra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 29-06-2016

Heard learned counsel for the parties.

The petitioners are apprehending their arrest in a case registered for the offence punishable under sections 406, 420, 467, 468 of the Indian Penal Code.

Prosecution case is that the informant entered into an agreement with the petitioners for purchase of land for a consideration amount of Rs.48,00,000/- and the informant paid a sum of Rs.1,00,000/- and an agreement for sale was prepared. Thereafter the informant constructed boundary wall over the said land. The further case of the prosecution is that on instruction of land owners, the informant paid a total sum of Rs.9,97,000/- to

them through the staff of the accused persons Pappu Kumar in nine installments but the sale deed was not executed.

It is submitted by the learned counsel for the petitioners that Rs.1 lac given as advance has already been returned to the informant. There is no proof that Rs.9,97,000/- was paid by the informant in nine installment through co-accused Pappu Kumar. The informant and the petitioners have entered into a compromise and the same has been filed before the learned court below as has been recorded by the learned Chief Judicial Magistrate, Darbhanga in the order dated 14.3.2016/16.3.2016, as contained in Annexure 3.

Considering the nature of accusation and the statement made in paragraph 3 of the application that the petitioners have no criminal antecedent, let the petitioner, abovenamed, in the event of their arrest or surrender before the court below within a period of twelve weeks from today, be released 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, Darbhanga in Laheriasarai P.S. Case No. 8/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Surendra/-

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