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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24229 of 2016

Arising Out of PS.Case No. -616 Year- 2013 Thana -KHAGARIA COMPALINT CASE District-KHAGARIA

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1. Anuj Singh son of late Bhoso Singh.
2. Bijoy Kumar Rai son of Kapildeo Rai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Chandra Bhushan Das, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 31-05-2016 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 406 and 420/34 of the Indian Penal Code.

The prosecution case is that the petitioner approached the complainant and his father for sale of land when Rs. four lakhs were given to petitioner no.1, Anuj Singh and Rs. six lakhs were given to petitioner no.2, Bijoy Kumar Rai but neither the sale deed was executed nor the money was returned when the complainant came to know that petitioner no.1 sold the piece of land to some other person.

It is submitted by learned counsel for the petitioners that the averment made in the title suit no. 71 of 2013 pending between

the parties is different from the accusation levelled in the present complaint as in the title suit it is claimed that only Rs. six lakhs were given to the petitioners but in the present complaint it is alleged that Rs. ten lakhs were given to the petitioners.

Considering the accusation being levelled in the background of pending title suit, 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 C.J.M., Khagaria in connection with Complaint Case No. 616C of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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