

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31703 of 2016

Arising Out of PS.Case No. -145 Year- 2016 Thana -BHAGWAN BAZAR District- SARAN

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1. Deep Narain Mishra son of Late Jagdish Mishra,
2. Rajesh Kumar Mishra @ Rajesh Mishra Son of Deep Narain Mishra,
Both resident of Village- Brahmpur, P.S- Bhagwan Bazar, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Mishra, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 27-09-2016 Heard both sides.

The petitioners apprehend their arrest in Bhagwan Bazar P.S. Case No. 145/2016, registered for the offences punishable under Sections 420, 406, 341, 323, and 34 of the Indian Penal Code.

The informant alleged that both the petitioners approached him for selling a piece of land situated near Brahmpur bridge of khata no. 594 and khesra no. 797. The informant gave Rs. 5,51,000/- to the petitioners who assured him to execute the sale deed after payment of the entire money. The informant gave total money of Rs. 11,56,000/-, but the petitioners did not execute the sale deed.

Learned counsel for the petitioners submits that there is no deed of agreement to sell the land. The informant has not filed any chit of paper which shows that the petitioners received any money from the informant.

On the other hand learned counsel for the informant as well as learned A.P.P. opposed the prayer for anticipatory bail of the petitioners.

It appears that the petitioners had taken money from the informant to execute the sale deed and the petitioners have got criminal antecedent. As many as three criminal cases are pending. The petitioners are on bail, besides one case in which the petitioners have been convicted under Section 304B and 34 of the Indian Penal Code in which the petitioners filed Criminal Appeal no. 415/2003.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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