

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 39095 of 2016

Arising Out of PS.Case No. -160 Year- 2015 Thana -BARHARA District- PURNEA

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1. Sulekha Devi wife of Pradeep Mehta
 2. Pradeep Mehta son of Late Kishun Mehta
 3. Wakil Mehta son of Maheshwar Mehta
 4. Ajay Mehta son of Predeep Mehta
 5. Kallu Mehta son of Late Kishun Mehta

All R/o Village- Patraha, P.S.- Barhara Kothi, District- Purnea.

6. Bhagwat Mehta son of Late Laxmi Mehta
7. Pankaj Mehta son of Bhagwat Mehta

R/o Village- Puraini, P.S.- Puraini, District- Madhepura.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 20-09-2016 Heard Sri Ashok Kumar Jha, learned counsel for petitioners and Sri Arun Kumar Pandey, learned Addl. Public Prosecutor.

Seven petitioners, apprehending their arrest in Barhara P.S. Case No. 160 of 2015 registered for offence under Sections 147, 149, 341, 406, 467, 468, 386, 379, 504 and 120(B) of the Indian Penal Code, have prayed for grant of bail in the event of their arrest or surrender.

By way of referring to F.I.R., learned counsel for petitioners submits that in a civil dispute, colour of criminal offence has been given by the informant. He submits that as per F.I.R. itself, the informant has said that an agreement for sale of

land was entered in between the parties and advance amount was paid. The agreement for sale was executed on 05-04-2012 and it has been alleged that till 15-06-2015, the petitioners had not executed the sale-deed. He submits that had there been any refusal to execute the sale-deed, the informant could have filed a suit for enforcement of contract. He submits that the petitioner no. 1 is cousin sister of the informant and others are relatives.

In view of nature of accusation in the F.I.R., the Court is of the opinion that it is a fit case for extending the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let aforesaid seven petitioners namely 1. Sulekha Devi, 2. Pradeep Mehta, 3. Wakil Mehta, 4. Ajay Mehta, 5. Kailu Mehta, 6. Bhagwat Mehta and 7. Pankaj Mehta be enlarged 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 learned Judicial Magistrate 1st Class, Purnea in connection with Barhara P.S. Case No. 160 of 2015, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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