

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56332 of 2015

Arising Out of PS.Case No. -630 Year- 2014 Thana -CIVIL LINE District- GAYA

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1. Archna John wife of William Alfred John alias Laltoo John
2. Aman Jacob John son of William Alfred John alias Laltoo John Both are residents of 133, Janta Flat, Police Station : Chandauti, District : Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Chitranjan Prasad Verma, S/o- Late Gopal Sharan Verma, R/o- Mohalla-Shahmir Takia, P.S. Civil Lines, District – Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Dharendra Pratap Singh

For the Opposite Party/s : Mr. Dr. M.K.Gautam(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 16-02-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioners apprehend their arrest in connection with Civil Lines P.S. Case No. 630 of 2014 registered for the offences punishable under Sections 406, 420, 120B of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner nos. 1 and 2 are wife and son of the main accused namely, William Alfred John, who is said to have taken huge amount of money as consideration amount from the informant for sale of a piece of land. It is further submitted that there is no

specific allegation against the petitioners and the only allegation is that wife of the said William Alfred John had accompanied him at all times, when the money was being received by him. It is also alleged that these petitioners had induced the informant to part with his money.

Learned counsel for the Informant submits that the huge amount of money has been taken away from him by the husband of these petitioners and as such, petitioners are not entitled to get the benefit of the privilege of anticipatory bail. It is further submitted that the matter may be sent to the Mediation Centre for negotiation between the parties, so that the money at least, could be recovered.

Considering the aforesaid facts and circumstances of the case, it appears that the case relates to civil dispute, in which, the informant ought to have moved the court of Civil jurisdiction for redressal of his grievance by way of filing a suit for specific performance of contract and also the fact that the main allegation is against the husband of petitioner no. 1 and father of petitioner no. 2, let the petitioner 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, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten

Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya in connection with Civil Lines P.S. Case No. 630 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

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