

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45299 of 2016

Arising Out of PS.Case No. -328 Year- 2014 Thana -SARAIYA District- MUZAFFARPUR

- =====
1. Bhuwneshwar Prasad @ Bhuneshwar Prasad S/o Late Baidhnaht Prasad,
 2. Sanjeev Ranjan @ Chunchun Son of Bhuneshwar Prasad Both resident of Village Rampurbali, P.S. Saraiya, (Jaintpur O.P.), District- Muzaffarpur.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Abhaykr. Sinha Kundan

For the Opposite Party/s : Mr. Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Saraiya (Jaintpur) P.S. Case No. 328 of 2014 for the offences instituted under Sections 420, 419 and 406 of the Indian Penal Code.

The allegation against the petitioners is that they negotiated with Om Prakash Mahto, businessman in Assam, to sell 16 2/5 decimal of land for a consideration money of Rs. 16, 40,000/-. After getting Rs. 15, 47, 992/- as cornets money executed Mahdnama but they refused to execute sale deed and cheated the informant.



It has been submitted on behalf of the petitioners that the petitioners have falsely been implicated in the present case. They have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The matter relates to Civil dispute. In respect to agreement for sale, a suit for Specific Performance of Contract Act was filed. The same has been dismissed.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Saraiya (Jaintpur) P.S. Case No. 328 of 2014 (G.R. No.2523 of 2014) on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., West-Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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