

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15337 of 2016

Arising Out of PS.Case No. -858 Year- 2015 Thana -PHULWARI District- PATNA

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1. Kameshwar Tiwary S/o Late Shrikant Tiwary
2. Purnima Tiwary @ Purnima Kumari W/o Late Bambam Tiwary, D/o Sri Kameshwar Tiwary
3. Deepak Tiwary @ Deepak Kumar S/o Sri Kameshwar Tiwary
All resident of Road No. 2, Adarsh Colony, P.O.+P.S.-Phulwarisharif, District- Patna.

.... Petitioners

Versus

1. The State of Bihar.
2. Rajesh Dubey S/o Late Surendra Dubey resident of B - 56 (Shanti Niwas), Anisabad Police Colony, P.O. - Anisabad, P.S. - Gardanibagh, District - Patna.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Nawal Kishore Prasad, Advocate.
For the Opposite Parties : Mr. Awdhesh Kumar Singh (App)
For the Complainant : Mr. Parth Gaurav, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 09-05-2016 Heard both sides.

The petitioners apprehend their arrest in Phulwarisharif P.S. Case No. 858 of 2015 registered for the offences punishable under Sections 406, 420, 504, 506, 379 and 34 of the Indian Penal Code.

The petitioner received Rs. 13,30,000/- for executing a sale deed in favour of the informant but petitioner did not execute the sale deed.

Learned counsel for the petitioners submits that the petitioners are ready to return the entire amount within one month.

Learned counsel for the informant submits that he has no problem if the money is returned within one month.

Considering the facts aforesaid, if the petitioners above named return the entire amount i.e. Rs. 13,30,000/- within one month from the date of this order to the informant through bank draft then 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, the petitioners above named are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Miss Sheema Eram, the learned Judicial Magistrate, 1st Class, Patna in Phulwarisharif P.S. Case No. 858 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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