

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17200 of 2016

Arising Out of PS.Case No. -18 Year- 2016 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

- =====
1. Dhanya Atma Prasad Mehta S/o late Bindeshwar Prasad Mehta
 2. Ashwani Kumar Kakkar S/o Dhanya Atma Prasad Mehta Both R/o Mohalla -Sahu Road P.S. town, District -Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ganesh Prasad S/o Ram Sagar Sha R/o at Motijheel, Baishakhi Ram Lane, P.S town, District Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Mandal, Adv.

For the Opposite Party/s : Mr. Rita Verma (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 19-05-2016 Heard both sides.

The petitioners apprehend their arrest in Town P.S. Case No. 18/2016, registered for the offence punishable under Sections 406, 420, 384, 323, 341, 504, 120B of the Indian Penal Code.

The gist of the allegation is that wife of Dhanya Atma Prasad Mehta (petitioner no. 1) was ill and for her treatment both the petitioners took money of Rs. 8,00,000/- for executing sale deed with regard to land bearing Khesra no. 189, Khata no. 82, area 3^{3/4} dhurs, but the petitioners did not execute the sale deed.

Mr. Krishna Prasad Singh, learned senior counsel has submitted that wife of petitioner no. 1 died. Petitioners are ready

to execute the sale deed, if the informant gave the remaining amount. It is submitted that the petitioners received only Rs. 8,00,000/- and the total consideration money was Rs. 30,51,000/-.

Learned counsel for the informant as well as learned A.P.P. vehemently opposed the prayer for bail and at the same time submitted that the informant is ready to pay the remaining amount within one month through draft and on such petitioners are ready to execute the sale deed.

Considering the facts aforesaid and the undertakings of the parties, the petitioners 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, 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 the learned Chief Judicial Magistrate, Muzaffarpur in connection with Town P.S. Case No. 18/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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