

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52738 of 2015

Arising out of PS.Case No. -544 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

1. Keshav Kumar @ Mintu.
2. Vikash Kumar @ Tullu. Both sons of Sri Narendra Thakur, residents of Village - Sahbajpur, P.S. : - Ahiyapur, District - Muzaffarpur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioners : Mr. Prakritita Sharma, Advocate.
For the Opposite Party : Mr. Md.Sufiyan (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 22-02-2016 Heard learned counsels for the petitioners, complainant and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Ahiyapur P.S. Case No. 544 of 2015 for the offences instituted under Sections 341, 447, 448, 323, 406, 420, 504, 506 and 120(B) of the IPC.

The prosecution story, in brief, is that the petitioners gave proposal to the informant for purchasing a piece of land on less price and they contacted the informant with Ramesh Babu and thereafter negotiation for purchasing land was made and price of land was fixed to Rs. 22 Lacs. It is further alleged that on 05.03.2015, Rs. 7,00,000/- as an advance money was paid to the



petitioners in presence of his some villagers. On 10.05.2015, the informant met with Ramesh Pd. Singh and asked for executing sale deed after receiving rest consideration money but he replied that he did not get the money given by the informant and refused to execute the sale deed. Thereafter the informant made complaint to the father of the petitioners but the petitioners became furious and on 23.06.2015 the petitioners alongwith some unknown persons abused and misbehaved the informant.

It has been submitted on behalf of the petitioners that the petitioners have falsely been implicated in the present case. In the light of Annexure-1 though there is allegation of depositing an amount of Rs. 7,00,000/- to the petitioners but there is no such supporting document to show that any money was given to the petitioners. The matter relates to civil dispute.

On behalf of the learned counsels for the complainant and the State it has been submitted that the petitioners are named in the F.I.R. and a fraud has been committed by the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on 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 Ahiyapur P.S. Case No. 544/2015 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 C.J.M., Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)