

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7066 of 2016

Arising Out of PS.Case No. -179 Year- 2015 Thana -KHAZANIHAT District- PURNIA

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1. Anil Kumar Singh
2. Ajay Pratap Singh both S/o Late Umeshwar Narayan Singh resident of village- Kala Bhawan Road, P.S.- K.Hat, Distt.- Purnia.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Vikash Kumar S/o Sri Vijay Kumar Singh resident of Village- New Shivpuri Bhatta, P.S.- K.Hat, Distt.- Purnia

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh,Sr. Advocate
With Mr. Pramod Kr. Mallick
For the Opposite Party/s : Mrs. Anusaiya Jaiswal(APP)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 08-03-2016 Heard learned counsel for the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

This application for grant of anticipatory bail arises out of K.Hat P.S. case No. 179 of 2015, disclosing offences under Sections 406,420,467,468,471 and 120B of the Indian Penal Code.

From the First Information Report, it transpires that the allegation against the petitioners is that they had taken some money from the informant for transfer of a piece of land in favour of the informant. The allegation is that despite having taken the amount, the petitioners did not execute the required sale-deed. There is dispute over the amount received by the petitioners.

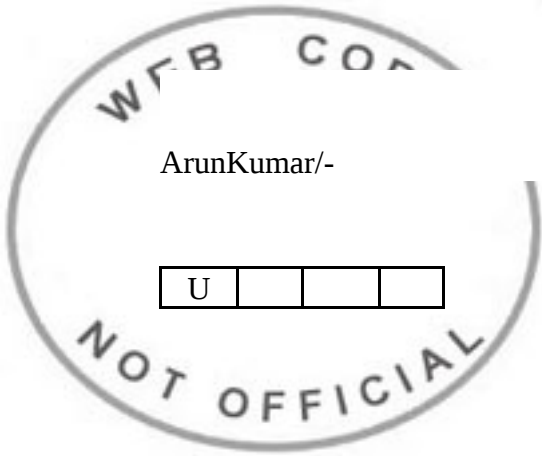
According to the petitioners, they have received total sum of Rs.10,51,000/- on two dates whereas it is the plea on behalf of the informant that the total amount is more than 17,51,000/-.

Learned Senior Counsel appearing on behalf of the petitioners submits that the petitioners is ready to pay to the informant back an amount of Rs. 10,51,000/- within four weeks from today. He further submits that any further dispute between the petitioner and the informant is purely civil in nature for which the informant can take recourse to the appropriate proceeding.

Considering the nature of accusation and the facts and circumstances of the case, this application is allowed. Let the petitioners above-named in the event of their arrest/surrender within six weeks from today in the Court below be released 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, Purnia in K.Hat P.S. Case No. 179 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail

bonds shall be liable to be cancelled.



(Chakradhari Sharan Singh, J)