

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59377 of 2017

Arising Out of PS.Case No. -375 Year- 2017 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Nirmala Devi, wife of Ravi Shankar Singh
2. Ravi Shankar Singh, son of Baidhnath Singh
Both resident of village- Bhopatpur Ahirauliya, P.S.-Kotwa
(Bhopatpur O.P.), District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sujit Kumar Gupta, son of Late Bhikhari Sah, resident of village-
Majuraha, P.S.- Turkauliya, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Advocate
: Mr. Pravin Kumar, Advocate
For the State : Mr. Abhay Kumar Roy, APP
For Opposite Party No.2 : Mr. Vijay Shankar Srivastave, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioners and learned
counsel for the complainant opposite party no.2.

The petitioners seek pre-arrest bail in connection with
Motihari Complaint Case No.375 of 2017 registered under
Sections 406, 420 and 120B/34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners
that the complainant had accepted full and final payment before
execution of registered sale deed, but he maliciously instituted the
instant complaint with allegation that at the time of execution of
the sale deed full and final payment was not made. He submitted



that none of the ingredients of any cognizable offence is attracted in the present case.

Learned counsel for the complainant has opposed the prayer for grant of pre-arrest bail to the petitioner.

Considering the nature of allegation as also the submissions made above, in the event of arrest or surrender before the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Motihari Complaint Case No. 375 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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