

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13399 of 2017

Arising Out of PS.Case No. -58 Year- 2016 Thana -GOPALPUR District- PATNA

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1. Asharfilal Singh , Son of Late Punnai Rai,
2. Manish Kumar, Son of Ravindra Kumar, Both of them Resident of
Village-Damanchak, P.S.- Gopalpur, District- Patna,.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar
For the Opposite Party/s : Smt. Sahin Begam, A.P.P.
For the informant : Sri S.S,Pd,Singh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 18-07-2017 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State assisted by the

learned counsel for the informant.

The petitioners are apprehending their arrest in

Gopalpur P.S.CaseNo.58/16 for the offence under Sections 406,

420/34 of the I.P.C.

Accusation is that the informant Anil Kumar Jha

approached the petitioners to purchase the land measuring 2 katha

of Plot No.413, Khata No.97 of Mauza- Sheikhpura, P.S. Ram

Krishna Nagar, District – Patna, in consideration of Rs.31,00,000/-

out of which he paid Rs.10/- lacs. Thereafter he paid the entire

consideration amount on different dates and thereafter he asked

the petitioners to execute the sale deed but he started to avoid to



execute the sale deed as he had already sold the said land on 27.08.2012. Despite repeated demands made by the informant, the petitioners made only part payment a sum of Rs.13,00,000/- to the informant.

On the other hand, learned counsel for the petitioners submits that, in fact, the informant refused to get executed the sale deed. Further submission is that the dispute as disclosed in the F.I.R, is of a civil nature.

Having considered the facts and circumstances of the case and nature of the offence, let the petitioners, above named, in the event of their arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Sri Ragini Kumar, J.M., 1st Class, Patna, in Gopalpur P.S. Case No.58 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

AnilKrSinha/-

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