

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38872 of 2017

Arising Out of PS.Case No. -61 Year- 2017 Thana -DANAPUR District- PATNA

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1. Sanju Ram @ Sanjay Prasad @ Sanju Rai, Son of Late Ramgit Ram,
2. Sanjay Mistry, Son of Late Ramgit Ram,
3. Tejus Mistry @ Teras Mistry, Son of Late Raemgit Ram,
4. Sushil Kumar @ Sunil Kumar, Son of Sanju Roy @ Sanju Ram,
5. Yash Raj, Son of Sanjay Mistry,
6. Nitish Kumar, Son of Sanjay Mistry, all are Resident of Mohalla- Gavtal, Rajnarayan Dwar, Gandhinagar, Bartal, Danapur, P.S.- Danapur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 12-12-2017 Heard learned counsel for the petitioners, learned counsel for the informant and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Danapur P.S. Case No. 61 of 2017 registered under Sections 420, 406, 427, 467, 468, 120-B, 323, 341, 327, 371 and 504/34 of the Indian Penal Code.

The accusation is that two houses appertaining to land belonging to the ancestor of the complainant, Renu Devi, wife of late Manju Mistri, and petitioners. Due to lack of money, petitioners wanted to sale their share in both houses and the matter



was negotiated and the price was fixed Rs.11,70,000/- . Thereafter, complainant-informant gave Rs.10,20,000/- by cheques, which was distributed amongst the petitioners and remaining amount of Rs.1,50,000/- was paid by the complainant/informant in cash. In spite of that, petitioners are not ready to execute the sale deed or to return the money.

Learned counsel for the petitioners submits that, in fact, petitioners received the cheque of Rs.10,20,000/- and Rs.1,50,000/- is still due against the complainant-informant to execute the sale deed and petitioners are ready to execute the sale deed on receiving the said amount.

Having regard to the facts and circumstances of the case, let the above named petitioners 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, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M., Danapur, in connection with Danapur P.S. Case No. 61 of 2017, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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