

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5961 of 2017

Arising Out of PS.Case No. -162 Year- 2016 Thana -DHAMDAHA District- PURNIA

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1. Mahendra Mishra, s/o Late Rajendra Mishra
2. Manoj Mishra, S/o Mahendra Mishra, Both are resident of village-
Kukraun No.1., P. S. Dhamdaha, District- Purnia

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rang Nath Choubey, Advocate
For the Opposite Party : Mr. Binod Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 22-02-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection
with Dhamdaha P.S. Case No. 162 of 2016, registered for the
offences punishable under Section 420 of the Indian Penal Code.

Allegedly, the petitioners sold the land to the
informant for Rs. 2,90,000./- after receiving the consideration
money, but that land was already gifted by the petitioners earlier
and then the informant demanded her money but the petitioner
evaded the matter.

Submission is of false implication and that the
informant is in possession over the land, if the informant get the
sale deed cancelled then the petitioner is ready to return the
consideration amount with legal interest. The dispute appears



purely of civil nature and, as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering the nature of dispute, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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, Purnea, in connection with Dhamdaha P.S. Case No. 162 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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