

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2314 of 2017

Arising Out of PS.Case No. -4 Year- 2016 Thana -DHIBRA District- AURANGABAD

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1. Sunaina Devi W/o Upendra Singh, R/o Village- Tetarain, P.S.- Dhibra,
Distt.- Aurangabad.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sunil Kumar Yadav

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 05-09-2017 The appellant seeks regular bail in connection with Dhibra P.S. Case No. 4 of 2016, registered for offences punishable under Sections 420, 468, 467, 419, 323, 379 of the Indian Penal Code, and Section 3 of SC/ST (POA) Act.

Allegation against the appellant that after taking money for executing a sale deed in favour of the informant has not executed the sale deed and is not willing to return the money.

It has been submitted on behalf of the appellant that prior to lodging of this case, a case of kidnapping has been lodged against the informant by the appellant side as such the present false case has been lodged. It has further been submitted that as a matter of fact, the informant is interested in taken the land of the father in law of the appellant and hence, they are putting pressure



to execute the sale deed and further if informant has any grievance, he may raise his grievance before the appropriate forum as this matter relates to specific performance of contract. Appellant has been in judicial custody since 03.07.2017.

Heard learned Special P.P. also.

Having heard both sides, in view of the above facts, this appeal is allowed, let the appellant above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-IX, Aurangabad, in connection with Dhibra P.S. Case No. 4 of 2016, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the



court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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