

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32700 of 2016

Arising Out of PS.Case No. -334 Year- 2015 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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1. Pratima Devi wife of Late Ritlal Prasad
2. Ranjit Kumar, son of Late Ritlal Prasad
Both are resident of Village- Paharpura, P.S.- Laheri, District- Nalanda.
3. Tulsi Rajkumar son of Saryug Mahto resident of Village Prabhu Bigha,
P.S.- Manpur, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Yugal Kishore Prasad son of Late Karu Prasad resident of Mohalla-
Mangla Nagar, Ramchandrapur, P.S.- Laheri, District- Nalanda

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra
For the Opposite Party/s : Mr. Smt. Renuka Ratnakar

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 10-01-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in connection
with a case registered for the offences punishable under Sections
406 and 420 of the Indian Penal Code.

Learned counsel for the petitioners submits that admittedly,
the case is with regard to sale and purchase of lands and execution
of an agreement for which the opposite party No. 2 had deposited
some agreement amount. It is further submitted that if at all, the
opposite party has any grievance, it is open to him to move a court
of competent jurisdiction for specific performance of contract



between the parties and not by way of filing a criminal prosecution.

Considering the nature of dispute between the parties and that as per the submission of learned counsel for the petitioners that he is, till date, willing and ready to perform the terms of the contract, let the petitioners abovenamed, in the event of their arrest /surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged 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 the learned Judicial Magistrate, 1st Class, Nalanda at Bihar Sharif in connection with Complaint Case No. 334(C)/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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