

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17361 of 2017

Arising Out of PS.Case No. -25 Year- 2015 Thana -RAHIKA District- MADHUBANI

=====

1. Samina Khatoon, Wife of Late Izharul Haque, resident of Village- Muryea, P.S. Darbhanga Sadar, District- Darbhanga.
2. Md. Raja @ Zafar, Son of Late Izharul Haque, resident of Village- Muryea, P.S. Darbhanga Sadar, District- Darbhanga.
3. Md. Anwar, Son of Late Izharul Haque, resident of Village- Muryea, P.S. Darbhanga Sadar, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vinay Mistry, Adv.

For the Opposite Party/s : Mrs. Sahin Begam, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 04-05-2017 Heard both sides.

The petitioners apprehend their arrest in Rahika P.S. Case No. 25/2015, registered for the offences punishable under Sections 420, 406 of the Indian Penal Code.

The informant filed complaint case on the basis of which the present F.I.R. is lodged. The informant alleged that petitioners received Rs. 2,40,000/- for executing a sale deed with regard to plot no. 1765 and 1766, Khata No. 30 area 01 Kattha 18 Dhurs situated in village – Ijra, but the petitioners neither executed the sale deed nor returned the money.

Learned counsel for the petitioners submits that the



petitioners did not receive any money. The informant has neither submitted any chit of paper to show the receipt of money by the petitioners nor the deed of agreement showing the mode of payment of consideration amount. The dispute is of civil nature.

Considering the facts aforesaid and the fact that the informant has not stated in the complaint petition what is the mode of payment of consideration amount and the petitioners denied to have received any consideration amount from the informant, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate Ist, Madhubani in connection with Rahika P.S. Case No. 25/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

Vinita/-

U		T	
---	--	---	--

