

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43631 of 2017

Arising Out of PS.Case No. -966 Year- 2016 Thana -BIHTA District- PATNA

- =====
1. Satrugan Prasad S/o Late Uma Prasad
 2. Sushila Devi, wife of Satrugan Prasad, both are residents of village Ajmeri Nagar P.S. Bihta District Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Sri Sanjay Kumar

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 21-09-2017

Heard both sides.

The petitioners apprehend their arrest in Bihta P.S. case No. 966 of 2016 under Section 406, 420, 504, 506/34 of the Indian Penal Code.

The informant alleged that Sushila Devi and her son, Rahul Kumar, purchased 290.316 gram of gold from his shop on 02.07.2016 and executed a deed of agreement to return the price of gold within three months and if the price of gold is not returned the petitioners agreed to sale one katha of land at the rate of Rs. 10 lac per katha but the petitioners neither returned the money nor executed the sale deed.

The learned counsel for the petitioners submits that prior to filing of this case Sushila Devi filed a complaint case that



the informant forcibly took her thumb impression on an agreement.

It appears that there is agreement between the parties to return the money or to execute the sale deed if the petitioners could not be able to return the money. It is a case of breach of agreement and for that the informant has filed this criminal case.

Considering the facts aforesaid and the fact that the dispute appears to be of civil nature, the petitioners, above named, in the event of their arrest or surrender before the learned 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) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur, Patna in connection with Bihta P.S. case No. 966 of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

BKS/-

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

