

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60615 of 2017

Arising Out of PS.Case No. -172 Year- 2017 Thana -JANKINAGAR District- PURNIA

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1. Minchun Malakar @ Munchun Malakar @ Shobhanand Malakar @ Chunchun Malakar,
 2. Vivek Malakar, Both sons of Sadanand Malakar, Both residents of village-Jankinagar Tola Gangapur, Panchayat Abhay Ram Chalka Ward No.2, P.S. Jankinagar, District-Purnea.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Thakur

For the Opposite Party/s : Mr. Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Jankinagar P.S. Case no. 172 of 2017, registered under Sections 406 and 420 of the Indian Penal Code.

The accusation is that both the petitioners agreed to sale 29 decimals of land to the informant Sushil Malakar on consideration amount of Rs. 2,50,000/-. Accordingly, Rs. Two Lakhs was paid by the informant as advance regarding which both petitioners executed receipt on 20.08.2015, but in spite of several requests and Panchyati, the petitioners neither executed the sale deed nor returned the advance money.

Learned counsel for the petitioners submits that



informant is pattidar of the petitioners and earlier he has also lodged Jankinagar P.S. Case No. 124 of 2017 with contention about selling of the motorcycle to Ramanand Malakar, brother of the petitioners on payment of Rs. 16,500/-, but the same was not paid, then all family members caused assault to him. Further submission is that informant is in the habit of lodging the case against the petitioner and his family members only to give undue pressure.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnia in connection with Jankinagar P.S. Case No. 172 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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