

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48624 of 2016

Arising Out of PS.Case No. -729 Year- 2015 Thana -SAHARSA District- SAHARSA

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1. Upendra Yadav, Son of Late Fandar Yadav
 2. Gajendra Yadav, Son of Jamadar Yadav
 3. Mahendra Yadav, Son of Jamadar Yadav
 4. Sikendra Yadav, Son of Gajendra Yadav.
 5. Subhash Yadav, Son of Upendra Yadav.
 6. Bhim Yadav Son of Upendra Yadav.
 7. Bijay Yadav, Son of Rajendra Yadav
 8. Suben Yadav, Son of Late Rajendra Yadav.
 9. Bado Yadav, Son of Rajendra Yadav. All resident of Village- Baluaha,
P.S.- Sonbarsa, Kachhari, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 16-01-2017 Learned counsel for the petitioners submits that during the pendency of this application petitioner no. 9, Bado Yadav, has been arrested, and as such, he seeks permission to withdraw the application in respect of petitioner no. 9.

Permission is granted and the application stands



dismissed as withdraws as against petitioner no. 9.

Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners apprehend arrest in connection with Saharsa Sadar P.S. Case No. 729 of 2015 registered under Sections 406, 420, 467, 468, 471, 120B, 384, 386 of the Indian Penal Code.

It is alleged that accused persons agreed to sale the land to the informant for which they took consideration money. On the date of registration due to failure of link connection, registration could not be done but thereafter accused persons never came for executing the deed for sale of the land and in this way they cheated rupees five lacs.

Learned counsel for the petitioner submits that informant has filed this case after great thought. It is further submitted that petitioners were never paid any money and such a big amount cannot be given without receipt. It is further submitted that the dispute is civil in nature.

Considering the facts and circumstances of the case, the petitioner nos. 1 to 8, above named, in the event of arrest or surrender within a period of four weeks from today, are directed to be released on bail on furnishing bail bonds of



Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 729 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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