

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17193 of 2017

Arising Out of PS.Case No. -375 Year- 2015 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

- =====
1. Binay Kumar @ Binay Sharma
 2. Ajay Kumar @ Ajay Sharma, both sons of late Dinesh Sharma,
residents of village Awana, P.S. Ghoeshi, district Jehanabad
- Petitioners

Versus

1. The State of Bihar
 2. Karu Yadav, sonof late Nanak Yadav, resident of village Badauli, P.S.
Kako, district Jehanabad
- Opposite Parties
- =====

Appearance :

For the Petitioners : Mr. Shakti Suman Kumar, Adv.
For the Opposite Parties : Mr. Ahmad Ali, APP 5

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 08-04-2017 Heard the learned counsel for the petitioners
and the State.

This is a petition for grant of anticipatory bail for
offence under Section 406/34 of the Indian Penal Code.

Petitioners had entered into an agreement to sell
their land in favour of the complainant. Even after receipt
of the part consideration money sale deed was not
executed, hence, the complainant felt cheated.

Submission of the petitioners is that the rest
money under consideration was not paid by the
complainant, hence, sale deed could not be executed. The
matter is of civil dispute regarding performance and non-
performance of the agreement to sell.

Considering the aforesaid fact, the petitioners,
above named, in the event of their arrest or surrender,



within four weeks from the date of receipt of this order, be released on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with **Complaint Case No. 375 of 2015** to the satisfaction of **Sri Sandip Patel, Judicial Magistrate, 1st Class, Jehanabad**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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