

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61630 of 2017

Arising Out of PS. Case No.-2309 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Kedar Rai,
 2. Ramdeo Rai, Both sons of Late Raghunandan Rai, Resident of Mohalla- Jaganpura, P.S.- Ram Krishna Nagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Prem Chand Ram, Son of Late Subedar Ram, Resident of Village- Gobardhanpur Kanap P.S. Daut Nagar, District- Aurangabad. at present resident of 2M-69 Bahadurpur Housing Colony, P.S.- Agamkuan, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar
For the Opposite Party/s : Mr. SRI MADAN KUMAR

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-12-2017 Heard learned counsel for the parties.

The petitioners are apprehending arrest in a complaint case wherein process has been issued after cognizance being taken for the offences punishable under sections 420 and 120B of the IPC.

The prosecution case as per the complaint petition is that on 14.1.2016 the petitioners executed a Power of Attorney with regard to the land situated in village Jaganpura in favour of co-accused Vidyanand. On the said date Vidyanand executed a deed of agreement for the sale of aforesaid land in favour of the complainant. Subsequently, the complainant paid Rupees



Twenty Four Lacs Forty Thousand to Vidyanand and the petitioners, but the sale deed was not executed nor the money was returned.

It is submitted by learned counsel for the petitioners that there is nothing on record to suggest that the deed of agreement was executed by the petitioners, nor the money was paid to the petitioners. The agreement exists between Vidyanand and the complainant.

Considering the accusation based on contractual nature of dispute, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned JM Ist Class, Patna in connection with Complaint Case No. 2309 C of 2016.

(Dinesh Kumar Singh, J)

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