

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41907 of 2017

Arising Out of PS.Case No. -931 Year- 2015 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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1. Yugal Kishore Prasad Singh, Son of Late Sakaldeep Singh,
2. Anil Anish Alok @ Anish Alok, Son of Yugal Kishore Prasad Singh.
3. Renuka Singh, W/o Yugal Kishore Prasad Singh,
4. Rajiv Kumar, Son of Yugal Kishore Prasad Singh.
All resident of Village Mali, P.S. Karpi, District- Arwal.
5. Himanshu Singh, Son of Brijendra Singh.
6. Purnima Singh, W/o Brijendra Singh.
Both resident of R/O 111B/93B Naya Barhana, P.S. Kydganj, Allahabad
U.P.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kedar Prasad, S/o Brihaspat Mahto, resident of Village Bharawpar, P.S.
Laheer, Dist.- Nalanda.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar, Adv.
Mr. Prabhat Ranjan Singh, Adv.
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 19-12-2017 Learned Counsel for the petitioners submits that
petitioner No. 1, namely, Yugal Kishore Prasad Singh, died
during the pendency of this bail petition.

Accordingly, the anticipatory bail petition of
petitioner No. 1, namely, Yugal Kishore Prasad Singh, is
dismissed as having become infructuous.

Heard both sides.

The petitioner Nos. 2 to 6 apprehend their arrest in
connection with Complaint Case No. 931-C of 2015,



registered for the offences allegedly committed by the petitioners under Sections 406, 420, 467, 468, 471, 472, 120-B and 34 of the Indian Penal Code.

The complainant named the petitioners in the complaint petition and alleged that Renuka Singh, petitioner No. 3, Purnima Singh, petitioner No. 6 and one Birendra Kumar Verma agreed to sell the land of Khata No. 184, R.S.P. Nos. 32 and 33, on consideration of Rs. 93,75,000/-. The complainant gave Rs. 6,00,000/- to the accused persons at the time of the execution the deed of agreement and they agreed to execute the sale-deed by 10.11.2014. The complainant gave the entire amount, but the accused persons did not execute the sale-deed.

Learned Counsel for the petitioners submits that of course the petitioners had executed a deed of agreement to sell and received some money, but later on the complainant himself got back the money after putting his signature. It has also been submitted on behalf of the petitioners that similarly situated other co-accused persons, namely, Birendra Kumar Verma, Adarsh Birendra and Rekha Verma, have already been granted anticipatory bail *vide* order, dated 10.07.2017, passed in Cr. Misc. No. 20990 of 2017, and the case of these petitioners stands on the same footing.



The notice was issued to the complainant *vide* order, dated 21.09.2017, but even after receipt of the notice, the complainant did not appear. It appears that the petitioners were on provisional bail in pursuance of this Court's order, dated 21.09.2017.

Considering the facts aforesaid and the fact that entire money, so taken, has already been returned to the complainant and other similarly situated co-accused persons have been granted anticipatory bail, the provisional bail granted to the petitioner Nos. 2 to 6, above named, *vide* order, dated 21.09.2017, is, hereby, confirmed. The petitioner Nos. 2 to 6, above named, is allowed to be remained on same bail bonds.

(Prabhat Kumar Jha, J)

Praveen-II/-

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