

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56089 of 2017

Arising Out of PS.Case No. -1108 Year- 2014 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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1. Shailendra Yadav, S/o Late Mahendra Yadav,
2. Jitendra Yadav S/o Late Singhesh Yadav @ Sing Dheshwar, Both R/o
Village- Rohtas, P.S.- Gogri, District- Khagaria Petitioners

Versus

1. The State of Bihar.
2. Uttam Yadav S/o Late Vasudev Yadav, R/o Vill.- Araria, P.S.- Parvatta,
District- Khagaria Opposite Parties

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Appearance :

For the Petitioners : Mr. Ashok Kumar Jha, Adv.
For the Opposite Parties : Mr. Aditya Narayan Singh 1, APP 219

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 13-12-2017

Heard both sides.

The petitioners apprehend their arrest in Complaint Case No. 1108C of 2014 registered under Sections 406 and 420 the Indian Penal Code.

The complainant alleged that Shailendra Yadav, petitioner no. 1, received Rs.21,000/- as advance to sell a piece of land through registered sale deed. The petitioners, further, received Rs.1,50,000/- and came to registry office for preparation and execution of the deed. When the petitioners were asked to put signature on the document, the petitioners fled away.

The learned counsel for the petitioners submits that the petitioners are innocent and they have committed no offence. There is no allegation against petitioner no. 2, Jitendra Yadav. Petitioner no. 1, Shailendra Yadav, was forced to put signature on the deed, but, he never received any money.

Considering the facts that the dispute appears to be of civil nature due to non-performance of deed of agreement to sell



the land, the petitioners, in the event of their arrest or surrender, within four weeks from the date of receipt of this order, are directed to be released on anticipatory bail 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. 1108C of 2014** to the satisfaction of **Chief Judicial Magistrate, Khagaria**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Prabhat Kumar Jha, J)

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