

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76511 of 2018

Arising Out of PS. Case No.-214 Year-2018 Thana- KHAJANCHI HAT District- Purnia

1. Satya Narayan Yadav son of late Dhunni Yadav, resident of village – Malhariya, P.S. - Baisi, District – Purnea.
2. Sanjay Kumar Yadav, son of late Sundar Lal Yadav, resident of village – Basweli, P.S. - Dagarua, district – Purnea at present resident of Mohalla – College road, Awantika, P.S. K.Hat, District – Purnea.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Indra Prasad Sah, son of late Patil Chandra Sah, resident of village – Kasba, Madar Ghat, P.S. - Kasba, District – Purnea.

... .. Opposite Parties.

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand
For the Opposite Party/s : Mr.Sri Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with K. Hat P.S. Case No. 214 of 2018 registered under Sections 406, 420 and 120(B) of the Indian Penal Code, pending in the court of learned Chief Judicial Magistrate, Purnea.

This case has been taken on motion. Learned counsel for the petitioners submits that petitioner no. 1 has already been arrested during pendency of the application and hence this application in so far as it relates to Satya Narayan Yadav, Petitioner No. 1 has become infructuous.



Accordingly, this application is dismissed as withdrawn only with regard to petitioner no. 1.

Learned counsel for the petitioners submits that on perusal of the written complaint giving rise to the present case it would appear that at the time of negotiation with respect to purchase of land in question the petitioner no. 1 Satya Narayan Yadav who has already been arrested and one yash Vardhan Singh were said to be present. The money was given to the said Satya Narayan Yadav. All representations were made by Satya Narayan Yadav, however when the negotiations failed and the sale deed was not executed, F.I.R. has been lodged implicating the present petitioner who is son-in-law of Satya Narayan Yadav.

Learned counsel has drawn attention of this court towards the deed present at page 14 & 15 showing that the money was received by Mantu Kumar son of Satya Narayan Yadav. It is submitted that no money was received by this petitioner.

Mr. Suresh Prasad Singh, learned A.P.P. who is present in court has assisted in the matter.

In the given facts and circumstances of the case, in the event of his arrest/surrender before the court below within a



period of four weeks, let the above-named petitioner no. 2 namely Sanjay Kumar Yadav, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with K. Hat P.S. Case No. 214 of 2018, subject to condition that petitioner shall join investigation by reporting to the Investigating Officer within a period of three weeks from today and shall cooperate in course of investigation as and when required, failing which the Investigating Officer shall be at liberty to take steps for cancellation of bail. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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