

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6242 of 2018

Arising Out of PS. Case No.-186 Year-2017 Thana- BODHGAYA District- Gaya

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1. Binda Singh, S/o- Shri Babuchand Singh @ Babulal Singh
 2. Rohit Kumar Singh, S/o- Shri Binda Singh Both R/o-Bihari Para Amrasota, P.S.-Raniganj, District-Burdwan (West Bengal), Permanent R/o- Village-Dhibar, P.S.-Fatehpur, District-Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar

For the Opposite Party/s : Mrs. RENUKA RATNAKAR

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-02-2018 Heard learned counsels for the petitioners, informant and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 406, 420 and 379/34 of the IPC.

The prosecution case, as per the written report of Ravindra Kumar dated 23.03.2017, submitted to the Station House Officer, Bodh Gaya Police Station is to the effect that under an agreement, the informant purchased the truck bearing Registration No.NL-02K/1521 from petitioner no.1, Binda Singh on payment of Rs. 2,50,000/- and it was further agreed that the informant will pay the rest amount to the financier. Consequently, sale letter and transfer letter were signed by



petitioner no.1 and subsequently, Rs. 4,88,000/- were deposited in the account of petitioner no.1 and Rs. 7,40,000/- were deposited in the account of petitioner no.2. Rs. 49, 674/- was also paid to the financier. Thereafter, petitioner no.1 started demanding additional amount of Rs. 2,00,000/-, hence the conduct of the petitioner constitutes offence under Section 420 of the IPC.

It is submitted by learned counsel for the petitioners that the informant is the brother-in-law of petitioner no.1. Petitioner no.2 is the son of petitioner no.1. The informant used to look after the business of the petitioners, hence the amount was deposited in the account of the petitioners. Till date vehicle in question is registered in the name of petitioner no.1. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Considering the nature accusation arising out of contractual relationship, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with



Bodh Gaya P.S. Case No. 186 of 2017, subject to the condition
as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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