

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28177 of 2018

Arising Out of PS. Case No.-1286 Year-2016 Thana- COMPLAINT CASE District- Banka

1. Manju Devi, wife of Jaibardhan Singh
2. Jai Bardhan Singh @ Bablu Singh, son of Late Harshavardhan Singh,
3. Arya Bardhan Singh @ Gyan Wardhan Singh, son of Jaibardhan Singh @ Bablu Singh, All Residents of Village- Kulharia, Police Station- Amarpur, District- Banka, Presently residing at Santnagar, Police Station- Barari, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Arjun Das, son of Darshan Das, Resident of Village- Kulharia, P.O. Surihari, Police Station- Amarpur, District- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.
For the Opposite Party/s : Mr. Dilip Kumar, APP 19

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-05-2018 Heard the learned counsel for the petitioners

The petitioners are apprehending their arrest in connection with Complaint Case No. 1286 of 2016 registered for offences punishable under Sections 420, 406, 323 and 504 of the Indian Penal Code.

Allegation against the petitioners is of taking rupees six lakhs and odd for executing sale deed, as per the first information report.

Submission of the learned counsel for the petitioners is that the allegation is of not executing sale deed, which is civil in nature.



Heard learned Additional Public Prosecutor also.

Having heard both sides and in view of the facts and circumstances, as stated above that the allegation relates to violation against the agreement, let the petitioners, named above, in the event of arrest or surrender before the Court below, within a period of six weeks from the date of order, be released on bail on furnishing bail bonds of Rs. 25,000/- (rupees twenty-five thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, III, Banka, in connection with Complaint Case No. 1286 of 2016 subject to the condition as laid down under Section 438(2) of the Criminal Procedure Code as well as with following conditions :

(I) One of the bailors of each of the petitioners shall be a local person, having sufficient immovable property within the jurisdiction of the concerned Court.

(II) The petitioners will not induce any witness or tamper with evidence.

(III) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bonds.



With the aforesaid observation, this application is
allowed.

(Vinod Kumar Sinha, J)

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