

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23720 of 2018

Arising Out of PS.Case No. -2541 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Geeta Devi, W/o Rajkumar Sahu @ Raju Kumar Sah,
2. Raj Kumar Sahu @ Raju Kumar Sah, S/o Late Mahngu Sah,
3. Ravi Kumar,
4. Gaurav Sahu @ Gaurav Kumar, Both sons of Raj Kumar Sahu @ Raju
Kumar Sah, All are resident of House No.- A/242 People's Co-operative
Colony, P.S.- Kankarbagh, District- Patna.

.... Petitioners

Versus

1. The State of Bihar.
2. Joseph John, S/o U. Joseph, Resident of 105, Sunder Apartment,
Bhootnath Road, P.O.- Bahadurpur Housing Colony, P.S.- Agamkuan,
District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr.Advocate with
Mr. Dhananjaya Nath Tiwari, Advocate
For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh
Mr. R.C. Shahi, Ramendra Kr. Bharti,
Mr. Sanjeev Kumar, Advocates

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-05-2018 Heard learned counsel for the petitioners.

Petitioners apprehend their arrest in connection with
Complaint Case No. 2541C of 2016 lodged for the offences
punishable under Sections 120B and 420 of the Indian Penal Code.

Allegation against the petitioners is that they have made
an agreement with the complainant for sale of one and a half
Katha of land and taken Rs.5 lakhs. However, land has not been
sold to the complainant, rather sold to some other person.



Submission of learned counsel for the petitioners is that complainant was not ready to take the land as such the same was sold to some other person and a title suit with respect to the said land is going on between the parties.

Heard learned APP and learned counsel for the complainant. After some argument, learned counsel for the complainant has submitted that complainant is ready to take back the amount which he has given for purchase of land.

Having heard both sides and in the facts and circumstances, this application is disposed of with a direction to the petitioners to surrender within a period of eight weeks from the receipt of this order along with a Bank Draft for Rs.5 lakhs payable to the complainant and thereafter petitioners will be released 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 Smt. Supriya Goswami, Judicial Magistrate, 1st Class, Patna, in connection with Complaint Case No. 2541C of 2016Maner P.S. Case No. 90 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and further condition is that one of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of court concerned. It is made clear that payment of



aforesaid amount will be subject to result of the case and till eight weeks, no coercive step shall be taken against the petitioners

(Vinod Kumar Sinha, J)

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