

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11358 of 2018

Arising Out of PS.Case No. -289 Year- 2016 Thana -DANAPUR District- PATNA

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1. Babloo Kumar Singh @ Satish Kumar son of Late Baribans Singh, resident of village Naya Tol, P.s. Danapur, District Patna.
2. Mukesh Kumar son of Late Krishna Prasad, resident of village Chhatni, P.S. Naubatpur, District Patna
3. Bijay Rai @ Bijay Rai Radhey Krishna Son of Late Bindi Rai, Resident of village Jhankhari Mahadeo Gola Road, Ashok Nagar, P.S. Danapur, District Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar

For the Opposite Party/s : Mr. Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

9 11-09-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Danapur P.S.Case no.289 of 2016 dated 17.7.2016 registered for offences punishable under Sections 468, 467, 406, 420 and 34 of the Indian Penal Code.

Allegation against the petitioners is that they entered into agreement with the informant with respect to sale of a piece of land and he has taken consideration money but later on he came to know that the land belongs to one Rajesh Mahto as the father –in-law of the informant has purchased the land from Rajesh Mahto and he demanded the money back from the petitioners but the petitioners have not returned the money and the cheque given by



the petitioners has also bounced.

Submission of the learned counsel for the petitioner is that the complaint petition itself shows that the informant has knowledge that the land belongs to Rajesh Mahto and he has also admitted that he has given money to the petitioner and that has been given to Rajesh Mahto as such there is no deal with the petitioners.

Heard learned A.P.P., who has opposed the prayer for bail stating that the petitioner was on police bail earlier which appears from the case diary.

No body appears on behalf of the O.P.No.2 in spite of filing of the Vakalatnama and Counter Affidavit.

Having heard both sides and in view of the fact that the petitioner was on police bail earlier and there is submission that they have not misused the same as such let the petitioners surrender before the learned court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below that they were on police bail and they have not misused the same and considering the same he will dispose of the prayer of the petitioners, if possible on the same day.

With the aforesaid observation, this application is



disposed of.

(Vinod Kumar Sinha, J)

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