

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37233 of 2018

Arising Out of PS.Case No. -183 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Ram Kumar,
2. Vijay Kumar Both Sons of Late Ram Lal Prasad @ Late Ramlal Yadav,
3. Umesh Lal @ Umesh Paswan S/o Bhoti Paswan, All are R/o vill.-
Jaganpura, P.S.- Ram Krishna Nagar, District- Patna.

.... Petitioners

Versus

1. The State of Bihar.
2. Arun Kumar S/o Chalitar Rai, R/o Vill.- Jankapur, P.S.- Phatehpur, P.S.-
Gaurichak, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Prakash Ranjan Sinha

For the Opposite Party/s : Mr. Pranav Kumar

For O.P. No.2 : Mr. Brij Bihari Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 27-08-2018 Heard learned counsel for the petitioners.

Petitioners apprehend their arrest in connection with
Complaint Case No. 183 of 2012 lodged for the offences
punishable under Sections 406, 420, 323 and 341 of the Indian
Penal Code.

Allegation against the petitioners is that they have
entered into an agreement for sale of land and taken Rs.24 lakhs
from the complainant and they are not returning the amount.

Submission of learned counsel for the petitioners is that
Annexure-2 shows that Rs.6 lakhs has been returned to brother of
the complainant and a cheque for Rs.12 lakhs has been given and
rest amount of Rs.6 lakhs has been paid as per direction of this



Court vide order dated 26.6.2014 passed in Cr.Misc.No. 1319 of 2014. Further submission is that two cases were filed for the same offence and nothing is due with the petitioners.

Heard learned APP and learned counsel for the complainant, who has opposed the prayer for anticipatory bail stating that there is no such receipt for payment of Rs.6 lakhs to the brother of complainant.

Having heard both sides and in the facts and circumstances, as stated above, let the petitioners, named above, in the event of their arrest or surrender, 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 Additional Chief Judicial Magistrate-II, Patna City, in connection with Complaint Case No. 183 of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C. and further condition is that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned.

(Vinod Kumar Sinha, J)

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