

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38234 of 2018

Arising Out of PS. Case No.-821 Year-2017 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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1. Arvind Kumar, S/o Mahesh Ram,
 2. Anil Kumar, S/o Mahesh Ram, Both R/o Village- Girdhariya,
P.S.- Shiv Sagar, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Lalita Singh, S/o Sri Ganga Singh, R/o Village- Bhaisola, P.S.- Kudra,
District- Kaimur (Bhabhua).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Murari Mishra
For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-08-2018 Heard learned counsel for the petitioners , learned APP
for the State and learned counsel for the informant.

Petitioners apprehend their arrest in Complaint case no.
821 of 2017 instituted for the offence under Section(s) 420 of
the Indian Penal Code.

Learned counsel for the petitioner has submitted that an
agreement has been entered into with five person including
opposite party no.2. It is further submitted that as per agreement
entered into between the petitioners and five purchasers as
mentioned in the agreement the deal was fixed for Rs. 68 lacs.
The petitioners have already executed the sale deed with respect
to 45 decimals of land to the purchasers. Petitioners have



admitted that they have received an amount of Rs. 63 lacs from the purchasers. It is further submitted that they are ready to execute the sale deed of the remaining land after receiving the rest amount as per agreement. It is further pointed out that other co-accused with similar allegation has already been granted anticipatory bail by this Court by order dated 17.7.18 passed in Cr. Misc. no. 39067 of 2018

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Complaint case no. 821 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the CJM, Rohtas, Sasaram, subject to the conditions as laid down under Section 438(2) Cr. P.C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the



evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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