

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35882 of 2018

Arising Out of PS.Case No. -53 Year- 2018 Thana -CHATOUNI District- EAST CHAMPARAN
(MOTIHARI)

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1. Sarita Kumari, W/o Ajay Kumar

2. Ajay Kumar S/o Janak Prasad,

Both are R/o Nakched Gola, Ward No. 13 near Chandai Mai Sthan, P.S.-
Chhatauni, District-East Champaran.

3. Himanshu Pathak S/o Someshwarnath Pathak R/o Pataura Lala Tola
Motihari, P.S.- Muffasil Motihari, District- East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 02-07-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Chhatauni P.S. Case No.53 of 2018 registered under
Sections 406, 420 and 120B read with 34 of the Indian Penal
Code.

It is submitted by the learned counsel for the
petitioners that save and except the ocular allegation made in the



first information report regarding fraud committed by the petitioners, there is no other material to support the allegation. He submitted that petitioner no.1 is a teacher in a government school. She is sister of the informant and petitioner no.2 is her husband and petitioner no.3 is a common friend of the family of the petitioners no.1 and 2 and the informant, who helped the informant in making payment to Vinay Kumar and Suresh Prasad in purchase of land.

On the other hand, learned counsel for the State submitted that there is allegation that the informant has been cheated by the petitioners and after taking money, sale deed was executed for only five and half dhoor of land in place of ten dhoors of land.

Be that as it may, since the dispute appears to be of civil nature and the petitioners are said to have no criminal record, in the event of arrest or surrender in the court below within six weeks from today, they are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Chhatauni P.S. Case No. 53 of 2018 subject to



the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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