

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 72232 of 2018

Arising Out of PS. Case No.-412 Year-2018 Thana- Buxar District- Buxar

1. Janardan Prasad Gupta, S/o Late Saryu Sah.
2. Nirmal Prasad Gupta @ Nirmal Kumar Gupta, S/o Janardan Prasad Gupta
3. Chandrawati Devi, wife of Janardan Prasad Gupta.
4. Geeta Devi, D/o Janardan Prasad Gupta.
Resident of village – Sohanipatti, Ward No. 21, P.S. - Buxar (M), District – Buxar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Dr. Amrendra Kumar
Mr. Rajeev Ranjan
For the Opposite Party/s : Mr. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 04-12-2018 Heard Dr. Amrendra Kumar, learned counsel assisted by Sri Rajeev Ranjan, learned counsel for the petitioners and Sri Akhileshwar Dayal, learned Addl. Public Prosecutor.

Four petitioners, apprehending their arrest in Buxar (T) P.S. Case No. 412 of 2018 registered for offence under Sections 406, 420, 120(b), 504, 506 of the Indian Penal Code, have prayed for grant of bail in the event of their arrest or surrender.

It was submitted by learned counsel for the petitioners that initially, the informant had filed complaint case, vide Complaint Case No. 573 of 2018, which was referred to the police for its registration under Section 156(3) of the Cr.P.C. and



as such, the present F.I.R. has been lodged. He further submits that prior to lodging of the present case, petitioner no. 2 has already lodged a case against the informant/complainant of the present case on an accusation that despite the fact that the complainant of the present case got sale-deed executed, entire consideration was not paid, whereas, in the present case, the informant/complainant has alleged that despite the fact that consideration amount has already been received by the petitioners side, possession of the house is not being delivered. It has been argued that in a case of civil nature, colour of criminal offence has been given.

Besides hearing, I have also perused the material available on record and after going through the same, I am of the opinion that it is a fit case for extending the privilege of anticipatory bail.

Accordingly, in the event of their arrest or surrender within a period of six weeks from today, let aforesaid four petitioners namely 1. Janardan Prasad Gupta, 2. Nirmal Prasad Gupta @ Nirmal Kumar Gupta, 3. Chandrawati Devi and 4. Geeta Devi be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Buxar in connection with Buxar (T) P.S. Case No.
412 of 2018, subject to condition as laid down under Section
438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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