

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24078 of 2018

Arising Out of PS.Case No. -123 Year- 2017 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Surendra Kumar Singh, aged about 50 years, Son of Sri Shirda Prasad @ Shirdha Prasad,
2. Smt. Anita Devi, aged about 45 years, wife of Late Krishna Kumar. Both residents of Village- Maulanipur, P.O. Sadikpur, Police Station- Maner, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Nibha Sinha, aged about 47 years, wife of Sri Ranjan Kumar Sinha, resident of Mohalla- Rajapur, Police Station- Sri Krishnapuri, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh
For the Opposite Party/s : Mr. Sri Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-05-2018 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Complaint Case No. 123(C) of 2017, disclosing offences under Section 406 of the Indian Penal Code.

Allegation against the petitioners that they took Rs. 5,00,000/- as advance, from the complainant in order to execute a sale deed in favour of the complainant but neither sale deed was executed nor the money was returned to the complainant.

Learned Counsel for the petitioner has submitted



that out of the said amount Rs. 2,00,000/- has already been returned to the complainant and since father of the petitioner no. 1 was suffering from cancer, they could not return the money and undertake to return the remaining amount of Rs. 3,00,000/- if some reasonable time is allowed.

Having heard both sides, in view of the above, let petitioners surrender before the court below along with a cheque of Rs. 1,00,000/- drawn in favour of the complainant and the court below after satisfying himself shall release the petitioners on provisional bail to his own satisfaction with condition that the petitioner shall deposit the remaining amount within a period of two months by two equal installments of Rs. 1,00,000/- and only after making complete payment of Rs. 3,00,000/-, the bail bonds of the petitioners shall be confirmed by the court below, failing which, the bail bonds of the petitioners shall be cancelled.

with the above direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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