

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31029 of 2018

Arising Out of PS. Case No.-21 Year-2018 Thana- DANAPUR District- Patna

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1. Rajiv Ranjan, Son of Late Sri Mahabir Prasad Singh,
 2. Smt. Indu Ranjan, Wife of Rajiv Ranjan, Both resident of Sahyogi Marg, Exhibition Road, P.S.- Gandhi Maidan, District- Patna.
 3. Binay Kumar @ B. Kr. Son of Late Devi Lal,
 4. Smt. Bindu Rani, Wife of Binay Kumar, Both resident of 407C, C-Type, Vishakhapatnam Steel Plant Sector- VIII, Ukkunagram, P.S.- Steel Plant, Distt- Vishakhapatnam, Andhra Pradesh.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rajesh Kumar, Son of Late Madan Lal, Resident of Danapur Gajadhar Chak, P.S.- Danapur, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 19-07-2018 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant .

Petitioner apprehends his arrest in Danapur P.S. case no. 21 of 2018 instituted for the offence under Section(s) 406, 420,120B,467,468,304 and 506 of the Indian Penal Code.

It is alleged by the informant that petitioner nos. 2, 4 and one Niraj Nishi have entered into an agreement with informant for sale of land and informant has paid an amount of Rs. 20 lacs at the time of agreement and after entering into an agreement, he has also paid total amount of Rs. 34,25,000/-.



Learned counsel for the petitioner submits that petitioners are still ready to execute the sale deed, if the informant makes payment of the entire consideration money.

Learned counsel for the informant has appeared and submitted that property in-question has been a disputed property as Title Partition Suit is pending between the parties. Therefore, the informant is not interested to purchase the property. He wants the petitioner to return back the money.

This Court finds that it is a matter of purely civil dispute for which informant has a civil remedy.

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 Danapur P. S. case no. 21 of 2018, 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 A.C.J.M. Danapur, 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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