

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60558 of 2018

Arising Out of PS.Case No. -14760 Year- 2014 Thana -BEGUSARAI COMPLAINT CASE District-
 BEGUSARAI

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1. Shambhu Kumar, S/o Shri Sukhsagar Kunwar,
 2. Dhiraj Kumar S/o Shri Shambhu Kumar, Both Residents of Vill.-
 Maniyappa, P.S.- Matihani, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
 2. Prem Sagar Kunwar S/o Late Banarasi Kunwar, R/o Vill.- Maniyappa,
 P.S.- Matihani, District- Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Sri Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
 ORAL ORDER

03/ 08.10.2018 Learned counsel for the petitioners is permitted to
 make necessary correction in para 1 and prayer portion of
 the petition within course of the day.

Supplementary affidavit is filed on behalf of the
 petitioners. Let it be kept on record.

Heard learned counsel for the petitioners as well as
 learned Addl. Public Prosecutor for the State.

Petitioners have been summoned to face trial for
 the offences punishable under sections 417, 467, 468 and
 506 of the IPC on the basis of complaint case filed by the
 complainant.



The accusation against the petitioners is that they got executed registered sale deed of the land of the complainant without giving any consideration money to him and subsequently, when the complainant demanded his consideration amount, the petitioners refused to pay the same.

Since there is registered sale deed and averment made in the registered sale deed shall be presumed genuine unless it is cancelled by the competent court.

Therefore, considering the aforesaid facts and circumstances as well as submissions of the parties, in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Sri Junaid Alam, Judicial Magistrate, Ist Class, Begusarai in Complaint case no. 14760/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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