

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28248 of 2016

Arising Out of PS.Case No. -47 Year- 2014 Thana -KALER District- JEHANABAD

- =====
1. Meena Devi wife of Manoj Kumar Gupta
 2. Manoj Kumar Gupta @ Manoj Kumar son of Late Gaya Prasad
Both residents of Village- Agnur, Police Station- Kaler, District-
Arwal.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad

For the Opposite Party/s : Mr. Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 10-01-2018

This is the 3rd anticipatory bail application on behalf of the petitioners in a case registered for the offences punishable under Sections 406, 420, 467, 468 and 471/34 of the Indian Penal Code.

The prosecution case is that Rs.Four lakhs were paid by the informant to the petitioners for transfer of 62.5 decimals of land but only 45 decimals of land were transferred.

On submission of learned counsel for the petitioners that the petitioners are ready to transfer the rest of the land and statement to that effect has been made in paragraph 16 of Cr. Misc. No. 9537 of 2015, the petitioners were granted provisional anticipatory bail for six months vide order dated



11.05.2015 passed in Cr. Misc. No. 9537 of 2015. The provisional bail was to be confirmed by the learned Court below on transfer of the rest of the land in favour of the informant. The said period got lapsed in 2015 itself. Thereafter, second anticipatory bail application was preferred Cr. Misc. No. 4713 of 2016 when this Court declined to interfere and ultimately vide order dated 25.05.2016 it was dismissed and now 3rd anticipatory bail application has been filed on the ground that now the petitioners are ready to transfer the land, hence the prayer be considered after the transfer of the land, this Court is not inclined to interfere.

However, keeping in view the nature of the accusation and the fact that petitioner no. 1 is the lady, it is a case for consideration of prayer for regular bail by the learned Court below, if the petitioners surrender before the learned Court below within a period of six weeks from today in connection with Kaler P.S. Case No. 47 of 2014, pending in the Court of learned Chief Judicial Magistrate, Arwal.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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