

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21321 of 2018

Arising Out of PS.Case No. -3749 Year- 2016 Thana -PATNA COMPLAINT CASE District-
PATNA

- =====
1. Janardhan Vishwakarma son of Late Murari Vishwakarma
 2. Mena Devi @ Babay Devi wife of Janardhan Vishwakarma
 3. Ashutosh Kuamr @ Vicky Kuamr @ Vicky son of Janardhan Vishwakarma

All are resident of Simri Nawada P.S. Bihta District Patna

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 31-08-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Complaint Case No.3749(C) of 2016 , registered for offences punishable under Sections 406, 323 and 379 of the Indian Penal Code.

Allegation against the petitioners is that they entered into agreement with Manish Vishwakarma for purchase of land of Manish Vishwakarma and the petitioners happen to be father, mother and brother of Manish Vishwakarma and they had also assured that the land is parental land as well as they have taken consideration money of Rs.12 lac.

Submission of the learned counsel for the petitioners is that



the talk was made with Manish Vishwakarma and not with the petitioners as such they have no liability for the same and no cheat of paper has been produced showing that the transactions have been made.

Heard learned A.P.P. No one appears on behalf of the complainant in spite of the fact that O.P.no.2 has appeared by filing Vakalatnama...

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sri Praveen Kuamr Singh, ACJM-cum-CBI-1, Patna in connection with Complaint Case No.3749 © of 2016 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.



With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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