

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31368 of 2018

Arising Out of PS.Case No. -67 Year- 2016 Thana -ARARIA District- ARRARIA

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1. MD. SADRAE ALAM @ SADRE ALAM, S/o Fakrai Alam,
2. Komal @ Zebanaj D/o Md. Sadrae Alame, Both R/o Vill.- Islami Nagar,
Ward No. 27, P.S. and District- Araria.

.... Petitioners

Versus

1. The State of Bihar
2. Bibi Mehnaz, w/o Md. Jamal, resident of village Irlam Nagar, Ward No.
27, P.S. & Dist. Araria

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha
For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 06-09-2018 A counter affidavit is being filed on behalf of respondent.

Let the same be kept on the record.

Heard learned counsel for the petitioners.

Petitioners apprehend their arrest in connection with Araria P.S.Case No. 67 of 2016 (G.R.No. 338 of 2016) lodged for the offences punishable under Sections 341, 379, 323, 406, 504 and 506 of the Indian Penal Code.

Allegation against the petitioners is that they have taken Rs.2.5 lakhs for execution of sale deed in favour of informant but neither sale deed was executed nor returned the money.

From perusal of the record it appears that in the order dated 28.8.2018 the petitioners had agreed to make payment of



Rs.1,90,000/- to the informant.

Submission of learned counsel for the petitioners is that the informant may file money suit for that.

Heard learned APP and learned counsel for the informant, who has opposed the prayer for anticipatory bail stating that petitioners have not denied the acceptance of money as they returned Rs.60,000/- and rest of the amount they are not returning nor executing the sale deed.

Having heard both sides and in the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioners.

Hence, this application is dismissed.

(Vinod Kumar Sinha, J)

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