

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31939 of 2018

Arising Out of PS. Case No.-3510 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Garima Pandey Wife of Sri Adarsh Kumar
 2. Chintamani Pandey Son of Late Kapil Deo Pandey Both resident of Flat No. C - 113, Rajnigandha Apartment, Kurjee, P.S. - Patliputra, District - Patna (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Anju Kumari Daughter of Jwala Prasad Singh, Wife of Shashi Bhushan Singh Resident of Mohalla - Postal Park, P.S. - Jakkanpur, District - Patna at present residing at Alka Colony, Sandalpur Road, P.S. - Bahadurpur, District - Patna (Bihar).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhanendra Chaubey
For the Opposite Party/s : Mr. Sri Ramchandra Sahani

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 29-06-2018 Heard the learned counsel for the petitioners, complainant (opposite party no. 2) and the State.

The petitioners seek bail in anticipation of their arrest in connection with Complaint Case No. 3510(c) of 2017 instituted for the offences under Sections 323, 354, 379, 419, 420, 406, 467, 468, 471, 504, 506, 34 and 120(B) of the Indian Penal Code in which cognizance has also been taken under the same sections.

It has been alleged in the complaint petition, though in great detail, that an amount of Rs. 80 lakhs was given to Mr. Veermani Kumar Singh for purchase of a plot of land, but it was later found out that the sale



deed which was executed by the owner of the land was not genuine. The land belonged to one Harendra Kumar of Nalanda and somebody else had masqueraded as the owner of the land and had executed the sale deed. When this fraud was unearthed, an attempt was made by the informant to have the money returned but to no avail. It was in this context that the informant visited the house of the aforesaid Veermani and one Adarsh Kumar who are hand in gloves with each other in their capacity as land brokers, the complainant/opposite party no. 2 was assaulted and was divested of his gold ornaments.

Learned counsel for the petitioners has submitted that the petitioner no. 1 is the wife of aforesaid Adarsh Kumar whereas Chintamani Pandey (Petitioner no. 2) is the father of Adarsh Kumar. The complaint petition does not refer to the aforesaid petitioners as having taken part in the negotiation. They have been made accused in this case only on the basis of their being in special relation as against Adarsh Kumar who had helped Veermani in duping the complainant of her money.

Considering the aforesaid facts viz. the petitioners not having participated in the negotiation for the sale/purchase of land they are directed to be released on bail, in the event of their arrest or surrender



before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Cheif Judicial Magistrate VIIIth, Patna in connection with Complaint Case No. 3510 (c) of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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