

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60478 of 2018

Arising Out of PS.Case No. -45 Year- 2018 Thana -ANTI District- GAYA

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1. Anandi Sharma,
 2. Nand Kumar Sharma Both Sons of Ram Janam Singh, R/o Vill.-
 Daurama, P.S.- Anti, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nand Kishore Prasad Sinha

For the Opposite Party/s : Mr. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 08.10.2018 Power is filed on behalf of the informant. Let it be
 kept on record.

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

Petitioners apprehend their arrest in connection
 with Anti P. S. case no. 45/2018 registered under sections
 406 and 420 of the IPC.

The accusation against the petitioners is that they
 along with their brothers took advance consideration money
 from the informant for execution of registered sale deed in
 respect of land but neither they executed registered sale
 deed nor returned the amount to the informant.



At the very outset, learned counsel appearing for the petitioners submits that the petitioners are ready to return the amount of the informant and, as a matter of fact, they had filed draft of Rs 1, 32, 500/- before the learned Sessions Judge but it was the informant who refused to receive the aforesaid amount.

Learned counsel appearing for the informant submits that although the informant is interested to get the land in question but even if the petitioners are interested to return the amount, this court may direct the petitioners to return the amount with interest as well as cost incurred on the litigation.

Considering the aforesaid facts and circumstances as well as submissions of the parties, it is ordered that in the event of arrest/ surrender within six weeks from the date of receipt of this order to the concerned court, let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate VII, Gaya in Anti P. S. case no. 45/2018 subjects to condition as laid down under section 438(2) of the Cr.P.C and furthermore, the petitioners shall return the above stated



amount with 6% simple interest on the said amount to the informant within three months from today.

Accordingly, anticipatory bail petition stands disposed of.

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(Hemant Kumar Srivastava,J)

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