

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14823 of 2018

Arising Out of PS. Case No.-299 Year-2015 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Nandlal Prasad, son of Late Dhanik Sah, resident of Village- Tumadiya Tola, P.S. Haraiya, Raxaul, District- East Champaran.
 2. Ragho Singh, son of Triveni Singh,
 3. Sanjay Kumar Gupta, son of Late Shiv Shankar Dayal,
 4. Raj Kumar Srivastava, son of Kanhaiya Lal,
 5. Sunil Kumar Gupta, son of Shambhu Prasad Sah, All Sl.No. 2 to 4 are residents of Village Raxaul, P.S. Raxaul, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Manoj Kumar Singh, son of Late Vidyanath Singh, resident of Village- Tumadiya Tola, P.S. Haraiya, Raxaul, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Sri Chaubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 20-09-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 406, 420, 447, 384, 504/34 of the Indian Penal Code.

The prosecution allegation, in short, is that in the back drop of sale of a piece of land, the accused persons accepted advance from the complainant and later refused to execute the sale deed and did not return the advance money paid to them.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The matter relates to civil dispute. It is further submitted on behalf of the petitioners that they are ready to deposit a sum of Rs. 1 lakh (one lakh) jointly in the Court below for the purpose of bail which shall be subject to the final disposal of the case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R. It is submitted by the counsel for O.P. No. 2 that the offer made by the petitioners is accepted for the purpose of bail.

Considering the aforesaid facts and circumstances, in the event, the petitioners deposit a sum of Rs.1 lakh (one lakh) jointly in the Court below, which shall be subject to final disposal of the case, within a period of six weeks from today, they shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Raxaul, at Motihari (East Champaran) in connection with Complaint Case No. 299/15, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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