

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67810 of 2018

Arising Out of PS. Case No.-125 Year-2017 Thana- BIBHUTIPUR District- Samastipur

1. Arun Kumar Sinha aged about 63 years, Son of Late Lakshman Prasad Singh.
2. Smt. Meena Singh @ Meena Sinha aged about 58 Years, Wife of Arun Kumar Sinha, Both are old aged Husband and Wife resident of Village Bhusawar, P.S.- Bibhutipur District- Samastipur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Dayal

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 14-12-2018 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 406,420,467,504 and 120B of the IPC.

The prosecution case is that the informant Md. Moeem earlier lodged Complaint Case No. 763 of 2016 which came to be registered as police case after being transferred under Section 156(3) of Cr.P.C. It is alleged by the informant that Kamlesh Pandit and Ram Dhyani Yadav mediated the sale of three katha land at the rate of Rupees One Lac per katha. It is further alleged that on the direction of the petitioner no.1. Ramdhyan Yadav asked the informant to get prepare a sale deed and



thereafter the sale deed was not registered.

It is submitted by learned counsel for the petitioners that with the same accusation Complaint Case No. 763 of 2016 was filed by the complainant which stood dismissed under Section 203 of Cr.P.C. vide order dated 13.9.2016 by the learned ACJM, Rosera. It is further submitted that with same accusation the present FIR has been registered.

Learned APP submits that with the similar accusation the complaint was filed which was dismissed.

Considering the fact that earlier complaint with similar accusation was dismissed, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM Ist, Samastipur in connection with Bibhutipur P.S. Case No. 125 of 2017 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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