

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38556 of 2018

Arising Out of PS.Case No. -605 Year- 2017 Thana -BIHTA District- PATNA

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1. Gopal Singh son of late Janji Singh @ Jangali Singh resident of Mohalla Rajiv Nagar Road No. 1, P.S. Digha, now Rajiv Nagar, District Patna.
 2. Kamlesh Kumar son of Devnath Rai resident of Village Dhuparchak (Ratan Tola), P.S. Janipur, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-07-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor of the State.

The petitioners are apprehending their arrest in connection with Bihta P. S. Case No. 605 of 2017, registered for offences punishable under Sections 406 and 420/34 of the Indian Penal Code.

The allegation against the petitioners is that an agreement for sale was executed by one Bibhanshu Kumar in favour of the complainant after taking money of Rs. 51,000/-. Further allegation is that after receiving money, no sale deed was executed by the petitioners.

Learned counsel for the petitioners submits that the petitioners are neither the beneficiary nor a party to alleged agreement for sale deed, rather they met one broker, Bibhanshu



Kumar, who involved in sale and purchase of land and nature of this case is civil dispute.

Learned Additional Public Prosecutor opposes the prayer of bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioners above named, in the event of their arrest or surrender before the Court below within a period of six weeks from the date of the order, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Twenty five thousand) each with two sureties of the like amount each in connection with Bihta P.S.Case No. 605 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-1, Danapur, Patna subject to the conditions laid down under Section 438 (2) Cr.P.C. with other that bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned and petitioners shall cooperate in the investigation and shall be present before the police as and when required, otherwise prosecution is at liberty to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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