

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55428 of 2018

Arising Out of PS.Case No. -123 Year- 2018 Thana -CIVIL LINE District- GAYA

=====

1. Manmati Devi, Wife of Late Ramesh Singh,
2. Shailendra Kumar Singh @ Shailendra Singh, Son of Late Ramesh Singh,
Both are resident of Village- Soniyawan, Police Station- Ekangarsarai, District- Nalanda, at present resident of Village- Dhekwaha Tola, Pitambarpur, Police Station- Islampur, District- Nalanda.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Manish Kumar No-2, Adv.
For the Opposite Party : APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 420 and 406 of the Indian Penal Code registered in connection with Civil Lines P.S. Case No. 123 of 2018.

3. It is submitted that the petitioners have been falsely implicated and the dispute between the parties at best is of civil nature, wherein it is submitted that the land was not transferred to the informant's side as the entire purchase consideration had not been paid.



4. Learned APP assisted by learned counsel for the informant appearing *suo motu* opposes the bail petition pointing out from paragraph-15 of the petition itself that the petitioners had entered into an agreement with another person namely, Sanjeev Kumar as far back as on 06.12.2014 itself (page-22 of the petition) and hence the remaining consideration money was not paid. It would further appear that the petitioners have also not honoured their commitment to the said Sanjeev Kumar as evident from the legal notice dated 06.10.2016 given to the petitioner no. 1 (page-24). It is therefore submitted that the petitioners have fraudulently sought to sell the land to the informant. Subsequently when the informant demanded their money back, the petitioners have refused to refund the same.

5. Considering the nature of accusations, gravity of the offence as well as criminal antecedents of the petitioners, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/-

U		T	
---	--	---	--

