

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30049 of 2018

Arising Out of PS.Case No. -1854 Year- 2013 Thana -GAYA COMPLAINT CASE District- GAYA
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1. Jitendra Kumar Gupta,
2. Satendra Kumar Gupta Both Sons of Late Ashok Kumar Gupta @ Late Ashok Prasad, Both R/o Vill./Mohalla- Badki Delha, P.S.- Delha, District-Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 13-09-2018 The petitioners are apprehending their arrest in connection with Complaint Case No. 1854 of 2013, registered for offences punishable under Sections 406 of the Indian Penal and Section 138 of the Negotiable Instruments Act.

Petitioners are brothers and allegation against them that they got the land of complainant executed in their favour for a consideration of Rs. 10,00,000/- out of which, they paid Rs. 5,00,000/- in cash and for the rest of the amount, they gave three different cheques, which were dishonored on presentation before the bank.

It has been submitted on behalf of the petitioners that they have falsely been made accused in this case, which will



appear from the recitals of sale deed itself, in which, it has been mentioned that entire amount has been paid. It has also been submitted that in fact the petitioners have been cheated by the complainant as the sale deed with respect to same land has also been executed in favour of one Sudhir Singh by registered sale deed dated 12.03.2013, just after six days of execution of sale deed in favour of petitioners.

Heard learned counsel for the State as well as learned counsel for the informant. They have opposed the prayer for bail on the ground that the complainant is a widow lady and she has been cheated by the petitioners.

Having heard both sides, in view of the above facts, 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 receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Gaya, in connection with Complaint Case No. 1854 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following condition that :-

One of the bailors of the petitioners shall



be a local person having sufficient
immovable property within the
jurisdiction of the concerned Court.

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(Vinod Kumar Sinha, J)

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