

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18942 of 2018

Arising Out of PS. Case No.-1031 Year-2015 Thana- Gaya Complaint Case District- Gaya

1. Awadh Kishore Prasad, son of Late Rameshwar Prasad.
2. Santosh Prasad @ Santosh Kumar, son of Awadh Kishore Prasad.
Both resident of village- Kanti Tola, Beldaria, P.S.- Fatehpur, District- Gaya.

... .. Petitioners

Versus

1. The State of Bihar
2. Umesh Prasad, son of Shri Bhuneshwar Prasad, resident of village- Mahuaghat, P.O.-Chaokia, P.S.-Sirdala, District- Nawada, at presently Fatehpur, P.S.- Fatehpur, District- Gaya.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Onkar Nath
For the Opposite Party/s : Mr. Sri Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 05-04-2018 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Complaint Case No.1031 of 2015, registered for the offence punishable under Section 420 of the Indian Penal Code.

Allegation has been made that earlier the petitioners have entered into an agreement for sale in the year 2007 and in the year 2013 has executed the sale deed in favour of brother of the petitioners.

Learned counsel for the petitioners submits that when the entire consideration amount has been paid, with the consent



of the complainant the sale deed has been executed in favour of the brother of the petitioners. When the dispute arose between the complainant and his brother in the year 2015 that led to lodging of present case.

Looking to the nature of dispute, let the petitioners, namely, Awadh Kishore Prasad and Santosh Prasad @ Santosh Kumar, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya, in connection with Complaint Case No.1031 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

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