

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32142 of 2018

Arising Out of PS. Case No.-81 Year-2018 Thana- KARAHGAR District- Rohtas

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1. Birendra Tiwary Son of late Kedar Tiwary
 2. Gautam Tiwary Son of Birendra Tiwary Both Resident of Villawge- Badahari, P.S.- Badahari, O.P. Kargahar, District- Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Ashok Kumar Pandey, Adv.
For the Opposite Party : Smt. Madhuri Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 06-09-2018 Heard learned counsel for petitioners and learned counsel for the State.

Petitioners are apprehending their arrest in connection with Kargahar (Badahari O.P) P.S. Case No. 81 of 2018 for the offences registered under Sections 341, 323, 504, 506, 406, 420 and 34 of the Indian Penal Code.

Informant in his written complaint has stated that an agreement for sale was executed between informant and Birendra Tiwary (petitioner) for sale of land on Rs. 13,00,000/- out of which he paid 4,00,000/- to the petitioners on 14.06.2017 in the presence of other named co-accused and thereafter remaining Rs. 9,00,000/- was taken by petitioner No.1 Birendra Tiwary for expenses met in marriage of his daughter. It has been



further submitted that when he asked the petitioners to execute sale deed, petitioners along with other co-accused persons assaulted him and threatened to kill him.

It has been submitted on behalf of the petitioners that they are innocent and have falsely been implicated in this case. The agreement for sale is forged document. No payment has been made. Dispute is of civil nature. They have no criminal antecedent.

Considering the facts and circumstances of the present case, let petitioners, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Rohtas at Sasaram in connection with Kargahar (Badahari O.P.) P.S. Case No. 81 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J.)

Rajiv/manoj

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