

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5740 of 2019

Arising Out of PS. Case No.-255 Year-2014 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

1. Mritunjay Bikram Shah, aged about 39 years (Male)
2. Manindra Jay Bikram Shah @ Manindra Bikram Shah, aged about 36 years (Male).

Both sons of Sanjay Bikram Shah, resident of Village- Mudila, Nepali
Tola Ram Nagar, P.S- Ram Nagar, Dist- West Champaran

... .. Petitioners

Versus

1. The State of Bihar
2. Raju Kumar Soni, son of Bhagwan Pd. Soni, resident of village- Ram Nagar
Ram Janki Chowk Purani Bazar, P.S- Ram Nagar, Dist- West Champaran

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 01-02-2019 Heard learned counsel for the petitioners, learned
counsel for the State and learned counsel for the complainant.

In this case, the petitioners are seeking anticipatory
bail in connection with Complaint Case No.255-C of 2014 (Tr.
No.1634 of 2017), registered for the offences under Sections
406, 420 and 465 of the Indian Penal Code.

As per the allegation, the complainant has given
Rs.8,00,000/- by way of consideration amount for purchase of
land of the petitioners, but later on, the petitioners neither
returned the money nor executed the sale deed.



Learned counsel for the petitioners submits that the petitioners are ready to return an amount of Rs.6,00,000/-, which they admit, in six equal installments. He further submits that the question of payment of Rs.2,00,000/- will be subject matter of trial.

In such view of the matter, let the above-named petitioners, be released on provisional 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 Judicial Magistrate, 1st Class, Bagaha, West Champaran, in connection with Complaint Case No.255-C of 2014. Further condition is that one of bailors will be a close relative of the petitioners i.e. wife/brother/son.

This provisional bail is subject to the condition that they will pay an amount of Rs.6,00,000/- to the complainant in six equal installments, first installment will be started from March, 2019. The petitioners will pay every installment in the first week of every month. After payment of entire amount of Rs.6,00,000/-, their provisional bail will be confirmed. In failure to make payment of any of the installments, as has been



mentioned herein-above, this order will be treated to have been
withdrawn.

(Shivaji Pandey, J)

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