

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23464 of 2019

Arising Out of PS. Case No.-523 Year-2018 Thana- ARA NAGAR District- Bhojpur

1. MILAN DEVI Wife of Satyendra Kumar Singh
2. Satyendra Kumar Singh Son of Late Satish Singh
Both are resident of Village- Krishnagarh Dewariya, Police Station- Barhara,
District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 01-07-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Ara Nagar P.S.Case No.523 of 2018 registered for offences punishable under Sections 419, 420, 120(B)/504 of the Indian Penal Code.

Prosecution story as per the written report is that the informant purchased a piece of land on consideration money of Rs.28,38,000/- and executed the sale-deed but he was not disclosed about the fact that the land is under litigation as a Title Suit No.112 of 2012 has been lodged against the petitioners and others and that case has been decided against the petitioners.

Submission of the learned counsel for the petitioners is



that as a matter of fact the land has come in his share and they had filed a suit, which was pending at the time of execution of the sale deed and he had informed about the same to O.P.no.2 but he raised no objection and after two years, the present case has been lodged. It further appears that the case has been decided against the petitioners and they have preferred an appeal against the order and they are also ready to return the amount but the land is in possession of O.P.no.2.

Heard learned A.P.P. and from perusal of the record it appears that the notice was issued to O.P.no.2 but she refused to accept the notice as such the notice appears to be served validly..

In such view of the matter, the petitioner is directed to surrender before the learned court below on 10.7.2019 and on surrender he will be released on provisional bail in connection with Ara Nagar P.S.Case No.523 of 2018 for a period of six months and during that period the learned court below shall issue notice to O.P.no.2 either personally by O.P.no.2 and through her lawyer and after appearance of O.P.no.2, the court below will try to re-conciliate the matter in between the parties. If the learned court below is satisfied with the conduct of the petitioners and if petitioners are ready to return the amount in lieu of that the O.P.no.2 shall hand over the



possession of the land, if he is in possession, the provisional bail of the petitioners shall be confirmed.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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