

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31608 of 2015

Arising Out of PS. Case No.-251 Year-2012 Thana- SHASTRINAGAR District- Patna

1. Smt. Sumitra Yadav
2. Ramashray Yadav

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rakesh Kumar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Ojha
For the Opposite Party/s : Mr.Nand Kumar APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 04-09-2019 Heard learned counsels for the parties.

The present application has been filed for cancellation of anticipatory bail granted to O.P. Nos. 2 and 3 vide order dated 2.4.2013 passed in Cr. Misc. No.49507 of 2012 in connection with Shashtri Nagar P.S. Case No. 251 of 2012 registered for the offences punishable under Sections 323,341,406,420,448 and 379/34 of the IPC.

It was alleged that a development agreement was entered into between the O.P. Nos. 2 and 3 and the informant-petitioner no.1 for development of two plots but subsequently the O.P. Nos. 2 and 3 entered into another development agreement whereby the date of completion of the project was extended and even after lapse of five years of stipulated period



the construction was not completed and subsequently the share of the informant was also sold.

It appears from the order dated 2.4.2013 passed in Cr. Misc. No. 49507 of 2012 that the issue was settled between the parties and a supplementary affidavit to that effect was filed on submission of Mr. S.K. Bhatnagar, Advocate having AOR No. 01742 appearing on behalf of the informant- petitioner no. 1 to the effect that issue has been settled, O.P. Nos. 2 and 3 were granted anticipatory bail.

Now, learned counsel for the petitioners submits that no agreement for settlement of the issue between the parties was arrived at.

Since no affidavit has been filed by Mr. S.K. Bhatnagar, Advocate having AOR No. 01742 then appearing on behalf of the informant-petitioner no. 1, this Court is not inclined to interfere in the matter.

This application is, accordingly, dismissed.

(Dinesh Kumar Singh, J)

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