IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80184 of 2018

Arising Out of PS. Case No.-1630 Year-2014 Thana- BUXAR COMPLAINT CASE District-Buxar

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1. Hriday Narayan Singh @ Hridaya Narayan Singh, S/o Vikrama Singh
2. Kamlesh Kumar Singh @ Kamalesh Kumar Singh, S/o Hriday Narayan Singh @ Hridaya Narayan Singh

Both are resident of Village- Sahiyar, P.S. - Simri, District- Buxar.

... ... Petitioner/s

Versus

1. State of Bihar
2. Rajesh Kumar Singh, S/o Ganesh Prasad Singh, resident of Village- Gopepur, P.S.- Sikraul, District- Buxar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Adv.
Mr.Bhaskar Shankar

For the Opposite Party/s : Mr. Anil Kumar, APP
Mr. Parijat Saurav, Advocate.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

4 05-03-2019 The petitioners apprehend their arrest in connection with Complaint Case No. 1630(C) of 2014 registered under Section 420 of the Indian penal Code.

Allegation as per the FIR is that informant has purchased a 12-Wheel Tata Motor and he had paid consideration money of Rs. 4,60,000/-, out of total money of Rs. 14,15,000/-, to the petitioner and there was an agreement that when the petitioner will supply the No Objection Certificate, he will pay rest of the amount. However, neither petitioners had supplied NOC nor

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they have executed sale deed with respect to the truck to the informant nor he returned the money.

After some arguments, learned counsel for the petitioners submits that petitioners are ready to return Rs. 4,60,000/- to the informant if some reasonable time is granted to him.

Heard learned APP also and learned counsel appearing on behalf of the informant, who have raised no objection.

Having heard both sides and in the facts and circumstances, as stated above, this application is disposed of with a direction to the petitioners to surrender before the court below within a period of six weeks from the date of receipt order, with a bank draft of Rs. 1,60,000/- in favour of the informant, and once the same is found deposited, provisional bail granted to the petitioners vide order dated 16.01.2019 shall be extended for a period of four months and within this period, petitioners have to pay back rest amount in two equal installment.

Once the total amount is deposited, provisional bail granted to the petitioners shall be confirmed; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

It is needless to say that aforesaid amount will be subject

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of the result of the case.

(Vinod Kumar Sinha, J)

sujit/-

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