

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40152 of 2019

Arising Out of Case No.-1249 Year-2016 COMPLAINT CASE District- Banka

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1. SAPNA DEVI W/o Amit Kumar Jha Resident of Village-Kakwara, P.S-Banka, District-Banka.
 2. Amit Kumar Jha Son of Mantu Jha Resident of Village-Kakwara, P.S-Banka, District-Banka.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Yogendra Yadav Son of Upendra Yadav Resident of Village-Sanauhla, P.S-Banka, District-Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey
For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-07-2019 Heard both sides.

The petitioner apprehends their arrest in Complaint case No. 1249 of 2016 for the offences allegedly committed by the petitioners under Section 120B, 420, 467, 468, 406, 504, 506,34 of the IPC.

The complainant had agreed to purchase one acre 92 decimal of land from petitioners on consideration of Rs. 40,80,000/-. The complainant gave Rs. 1,50,000/- to the petitioners and petitioners executed a deed of agreement to sale in favour of the complainant. It is alleged that petitioners executed sale deed with regard to same land in favour of another person. When the complainant went to complain the petitioners are alleged to have abused the complainant.

The learned counsel for the petitioners submits that petitioners have not executed any deed of agreement to sale nor



received any money from the complainant. It is submitted that some talk had taken place but later on the complainant resiled from the settlement. It is further submitted that the complainant is a broker and he filed the complaint making false and frivolous allegation against the petitioners.

Considering the facts aforesaid and nature of allegation made against the petitioner and the fact that dispute appears to be of civil nature, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Complaint case No. 1249 of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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