

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40170 of 2018

Arising Out of PS. Case No.-1744 Year-2017 Thana- SARAN COMPLAINT CASE District-
Saran

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1. Om Prakash Sah son of Diplal Sah.
 2. Daroga Rai, son of Late Singhasan Rai.
 3. Sheikh Nurul Hassan @ Sheikh Nurul, son of Late Abdul Ajij, resident of Village- Arwa. Petitioner no. 1 and 2 are resident of Village- Padumpur, All are P.S. Mashrakh, District- Saran.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Chandrama Rai, son of Late Babban Rai, resident of Village- Padumpur, P.S. Mashrak, District- Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh
For the Opposite Party/s : Mr. Amrendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 21-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered
under Sections 420, 468, 120 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners
committed fraud with the complainant.

It has been submitted on behalf of the petitioners that the
petitioners have got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioners. The petitioners
have been made accused due to mistake of fact. As per the allegation,
the complainant was to execute the sale deed in which it was written
that he had already received an amount of Rs.10 lacs. The



complainant refused to execute the sale deed as the consideration amount was not paid to him. For the said reason the deed could not be executed. The petitioner No.1 is the proposed vendee, petitioner No.2 is said to be present at the Registry Office at the relevant time and petitioner No.3 is the deed writer. No wrongful loss or wrongful gain has been made. The matter relates to civil dispute.

On behalf of the State, it is submitted that the petitioners are named in the complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VIII, Saran, Chapra in connection with Complaint case No.1744 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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