

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64815 of 2018

Arising Out of PS. Case No.-520 Year-2013 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. Md. Ibrahim and Anr Son of Late Abdul Mazid @ Akalu,
 2. Md. Israil @ Md. Ijrail, Son of Late Abdul Mazid @ Akalu, Both resident of Village- Khutti Dhunaili, P.S.- K. Nagar, District- Purnea.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Chhote Lal Das, Son of Late Lutan Das, Resident of Village- Baijnath Nagar, P.S.- K. Nagar, District- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Amit Kumar Anand
For the Opposite Party/s	:	Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 04-02-2019 Heard the parties.

The petitioners seek pre-arrest bail in Complaint Case No.520 of 2013 registered under Sections 406, 420, 323 and 384 of the I.P.C.

Accusation is that petitioner no.1 entered into an agreement with the complainant to sell the land at the rate of Rs.40,000/- per bigha of 42 decimals on 31.08.2008 and till date petitioner no.1 received Rs.40,000/-. Thereafter petitioner no.1 also received Rs.37,000/- on 19.12.2008 and Rs.3000/- on 14.03.2009 but the petitioner no.1 did not execute the sale deed in spite of several request made by the complainant and when the complainant reached the house of the petitioners they locked



him in a room and also threatened to kill him if he discloses about receiving of Rs.40,000/- on the agreement to sell the land.

Learned counsel for the petitioners submits that, in fact, Rs.40,000/- was received by the petitioners and the complainant had to pay Rs.37,000/- and Rs.3000/- till 14.03.2009 which would appear from the agreement which is on plain paper and thereafter due to some dispute sale deed could not be executed and Rs.40000/- was returned to the complainant regarding which the receiving has already been made by the petitioners on plain paper which would appear from Annexure-2.

Having considered the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest of surrender before the learned court below within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the S.D.J.M., Purnea, in Complaint Case No.520 of 2013 subject to the condition as laid down under Section 438(2) of Cr.P.C.

(Rajendra Kumar Mishra, J)

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