

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52642 of 2019

Arising Out of PS. Case No.-304 Year-2018 Thana- SALIMPUR District- Patna

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1. ARBIND KUMAR Son of Mahabir Prasad Resident of Village - Dih Majhauri, P.S.- Salimpur, District - Patna.
 2. Mahabir Prasad Son of Rup Chandra Paswan Resident of Village - Dih Majhauri, P.S.- Salimpur, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Janardan Sharma Son of Late Nathan Singh Resident of Village - Bihla, P.S.- Salimpur, District - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Thakur

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 16-11-2019 Heard learned Counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 406, 420, 34 of the Indian Penal Code.

Accusation against the petitioners is that they took Rupees Four Lacs as consideration amount as advance for transfer of the land, but neither the land was transferred nor the money was returned to the informant.

It is submitted by learned counsel for the petitioners that the petitioners admit taking of Rupees Two Lacs as advance in stead of Rupees Four Lacs and they are ready to return Rupees



Two Lacs.

It is submitted by learned APP for the State that the accusation is specific against the petitioners.

Without expressing any opinion with regard to accusation, considering the present stand of the petitioners, let the above named petitioners be released on anticipatory bail provisionally for three months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-III, Barh, Patna, in connection with Salimpur P.S. Case No.304 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioners will be confirmed by the learned Court below on submission of bank draft of Rupees Two Lacs in favour of the informant before the learned Court below which will be released in favour of the informant by the learned Court below.

(Dinesh Kumar Singh, J)

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