

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68224 of 2019

Arising Out of PS. Case No.-1077 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Pramod Kumar, Son of Balwan Rai Resident of Village - Madarsa Road, Raja Bazar, P.S.- Shastri Nagar, Distt - Patna.
 2. Vicky Kumar Son of Veer Prakash Resident of - Mubarakpur, P.S.- Sahpur, Distt - Patna.
 3. Veer Prakash @ Veer Pratap @ Veer Prakash Singh Son of Ramdhari Prasad Resident of Mubarakpur, P.S.- Sahpur, Distt - Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rinku Devi Wife of Chandra Mohan Prasad Resident of - Nurpur Chandmari, P.S.- Sahpur, Distt - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha
For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 18-11-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Complaint Case No. 1077 (C) of 2017, for the offence punishable under Sections 323, 341, 354(A), 420 and 504/34 of the Indian Penal Code.

The accusation is that Chandra Mohan Prasad, husband of the complainant/O.P. No.2 used to take liquor and other intoxicated substance and taking advantage of the same,



Vicky Kumar (petitioner No.2) and Bir Prasad @ Bir Pratap (petitioner No.3) served liquor and intoxicated substance to Chandra Mohan Prasad, husband of complainant/O.P. No.2, and got executed sale deed regarding 08 katha, 02 dhurs and 08 dhurkee of land in the name of Priynka Kumari, wife of Vicky Kumar (petitioner No.2) and on 26.08.2017 petitioners got executed 3.125 decimals of land in the name of Pinky Kumari, wife of Pramod Kumar (Petitioner No.1) without payment of consideration amount to her husband Chandra Mohan Prasad. When complainant/O.P. No.2 made protest then they assured to give Rs. 20 Lakhs, but they did not pay the same and on making complaint, she was assaulted by them.

Learned counsel for the petitioners submits that while it is alleged in the compliant petition by the complainant/O.P. No.2 that not a single penny was paid to her husband in respect to consideration amount of the land by the wife of petitioner No.1 and 2, but in her S.A. she had stated that petitioners have paid only Rs. 46 Lakhs and Rs. 20 lakhs is to be paid. Further submission is that, in fact, O.P. No.2 has filed the compliant case only to realize more money from the petitioner by giving the pressure. The petitioners have no criminal antecedent, except, two cases as detailed in paragraph



No.3, which are lodged by the complainant/O.P. No.2.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M-V, Danapur in connection with Complaint Case No. 1077 (C) of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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