

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66684 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- PARAIYA District- Gaya

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1. LALAN SINGH Son of Raj Balabh Singh, Resident of Mohalla - Birkuwar Singh Colony, Magadh Medical, P.S. - Magadh Medical, District - Gaya
 2. Sidheshwar Yadav Son of Chhatar Yadav Resident of Village - Punakala, P.S.- Paraiya, District - Gaya
 3. Laldeo Yadav @ Lalandeo Yadav Son of Chhatar Yadav Resident of Village - Punakala, P.S.- Paraiya, District - Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sandhya Devi Wife of Vimal Kumar Resident of Village - Kalyanpur, Delha, P.S. - Delha, District - Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 24-10-2019 Heard both sides.

Petitioners apprehend their arrest in Paraiya P.S. Case No.45 of 2019 registered under Sections 406, 420, 506, 34 and 120(B) of the Indian Penal Code.

The informant alleged that she paid Rs.4 lacs and odd to Lalan Singh and the land owner, namely, Janki Yadav, Sidheshwar Yadav and Laldeo Yadav and agreement to sell was executed. The land was standing in the name of State of Bihar. The sale deed was to be executed after correction of record of rights but the land owner after correction of the record of rights



executed sale deed in favour of Mohan Yadav, who issued a cheque in the name of informant but the cheque on being presented became dishonoured.

Learned counsel for the petitioners submits that Janki Yadav was granted anticipatory bail by learned Additional Sessions Judge-IX on 24.07.2019 on consideration that Mohan Yadav had already paid Rs.3,91,000/- to the informant. It is further submitted that Mohan Yadav was also granted bail on 19.06.2019 and he returned the entire amount of consideration already paid by the informant to the land owner but later on the informant was willing to get the land registered that is why the land owner executed sale deed in favour of Mohan Yadav, who returned the entire amount.

Having considered the facts aforesaid that the informant has already received the entire consideration amount from Mohan Yadav, who was granted anticipatory bail by order dated 19.06.2019 passed in Cr.Misc.No.37277 of 2019, the above named petitioners, in the event of their arrest or surrender before the learned 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 furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like



amount each to the satisfaction of learned A.C.J.M. III, Gaya in connection with Paraiya P.S. Case No.45 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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