

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1781 of 2020

Arising Out of PS. Case No.-441 Year-2019 Thana- KRITYANAND NAGAR District-
Purnia

-
1. Lakho Devi W/o Vinod Kumar Yadav
 2. Vinod Kumar Yadav Son of Bhumi Yadav
Both Resident of Village - and P.O.- Parora, P.S.-K. Nagar, Distt.- Purnea.
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
K. Nagar P.S. Case No. 441/2019 registered for the offence
punishable under Sections 406, 420, 379, 506, 504/34 of the
Indian Penal Code.

The petitioners executed an agreement for sale in
favour of informant having taken advance amount and handing
over possession of the land to informant but, subsequently, they
refused to execute absolute sale deed.

Submission on behalf of the petitioners is that
petitioner No. 1 had given legal notice to informant on
14.8.2019 and after that the informant lodged the present case.
Learned counsel of the petitioners, further, submits that even if



the prosecution story assumed to be true, then also, the fact of the case constitutes civil dispute.

On the other hand, learned counsel appearing for informant opposed the prayer pointing out that the petitioners at the time of execution of agreement, had suppressed the fact that the land in question was subject matter of ceiling and, accordingly, the petitioners cheated the informant.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note that the fact of the present case constitutes civil dispute, I think it proper to extend the privilege of anticipatory bail to the petitioners and accordingly, it is ordered that petitioners, in the event of their arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall be released 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 Chief Judicial Magistrate, Purnea in K. Nagar P.S. Case No. 441/2019 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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