

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 11433 of 2020

Arising Out of PS. Case No.-6 Year-2019 Thana- KHAGARIA COMPALINT CASE District-
Khagaria

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1. Bindu Devi W/o Santosh Kumar @ Santosh Kumar Singh R/o village-
Khairidih, P.S.- Morkahi, District- Khagaria, At present of resident of
village- Rajendra Nagar (North) Ward No. 20, P.S.- Chitraguptanagar, Distt.-
Khagaria
 2. Santosh Kumar @ Santosh Kumar Singh S/o Late Bindeshwari Singh R/o
village- Khairidih, P.S.- Morkahi, District- Khagaria, At present of resident
of village- Rajendra Nagar (North) Ward No. 20, P.S.- Chitraguptanagar,
Distt.- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vibhuti Narayan Choudhary S/o Late Ramlagan Choudhary R/o village-
Rajendra Nagar (North) Ward No. 20, P.S.- Chitraguptanagar, Distt.-
Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-06-2020 Heard learned counsel for the parties through video
conferencing.

Two petitioners apprehend their arrest in Complaint
Case No. 6c of 2019 registered for the offence under Sections
406, 420, 323, 504, 120(B)/34 of the Indian Penal Code.

As per complaint petition, the allegation against the
petitioners, who are wife & husband respectively, is that they
took total Rs. 10,23,000/- (ten lacs and twenty three thousand)
from the complainant in lieu of sale of thirteen decimal of land
in his favour and entered into an agreement, but it is alleged that
the petitioners refused to execute sale deed in favour of



complainant.

It is submitted on behalf of petitioners that petitioners are innocent and have committed no offence. In fact, the complainant, on the basis of said agreement, has already filed a title suit, vide Title Suit No. 9 of 2019 against petitioner no. 1 (Bindu Devi) under Specific Performance Act, in which, notice has already been issued to petitioner no. 1 and in order to put pressure on petitioners' side, the complainant has filed the present complaint case. Petitioners have no criminal antecedent.

Considering the aforesaid facts and circumstances, the anticipatory bail application is allowed.

In the event of arrest or surrender within a period of six weeks from today, let the above-named petitioners 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 J.M.1st Class, Khagaria in connection with Complaint Case No. 6c of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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