

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15651 of 2020

Arising Out of PS. Case No.-2620 Year-2017 Thana- COMPLAINT CASE District- Araria

1. CHANDAN KUMAR MEHTA Son of kamleshwari Mehta Resident of Village - Amouna, P.S.- Jogbani, Dist.- Araria.
2. Kundan Kumar Mehta Son of Kamleshwari Mehta Resident of Village - Amouna, P.S.- Jogbani, Dist.- Araria.
3. Kamleshwar Pd. Son of Late Uttam Lal Mehta Resident of Village - Amouna, P.S.- Jogbani, Dist.- Araria.
4. Ravindra Kumar Mehta Son of Late Ram Prasad Mehta Resident of Village - Amouna, P.S.- Jogbani, Dist.- Araria.
5. Taimur Ali Son of Subhan Ali (Katib, Lic No.15/98, Forbesganj, Sub Registry office) Resident of Village - Matiyari, P.S.- Forbesganj, Distt.- Araria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sakuna Devi W/o Durganand Mehta Resident of Village - Madhulata, P.S.- Raniganj, Dist.- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gopal Kumar Jha
For the State	:	Mr.Amitesh Kumar, APP
For the complainant	:	Mr. Sanjay Kumar Sharma, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-07-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case initially registered under Sections 420, 467, 468, 471, 406, 504, 323,



120(B)/34 of the Indian Penal Code but later on, the Magistrate took cognizance for the offence under Section 420/34 of the Indian Penal Code only.

Allegedly, the complainant executed the land in favour of son of one of the petitioners on consideration amount of Rs. 11 lakhs but the accused persons paid Rs. Six lakhs only with assurance to pay the rest amount but the accused persons grabbed the money of the complainant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. There was transaction of sale and purchase of land between the parties. The matter relates to civil dispute.

On behalf of the State and complainant, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Araria in connection with Complaint Case No. 2620C of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish



bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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