

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87084 of 2019

Arising Out of PS. Case No.-683 Year-2017 Thana- BIHTA District- Patna

1.Nagendra Pal son of Late Bachhu Lal Bhagat
2. Upendra Pal@ Upendra Kumar Pal son of Late Bachhu Lal bhagat
3. Manoj Kumar Pal
4. Sudhir Kumar son of Late Kameshwar Bhagat
5. Manti Devi@ Shilmanti Devi@ Shanti W/O Late Kameshwar Bhagat

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha
For the Opposite Party/s : Mr.Pancha Nand Pandit

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

ORAL ORDER

2 20-02-2020 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Bihta P.S. Case No. 683 of 2017 registered for the offences
punishable under Sections 406, 420, 504 and 120B/34 of the
Indian Penal Code.

The accusation against the petitioners is that they
agreed to sale some lands to the complainant and took Rs.
4,01,000/- in advance and also executed an agreement for sale
but subsequently, they refused to execute absolute sale deed.

Submission on behalf of the petitioners is that
admittedly, the agreement in question was executed in the year



2012 and the complainant approached the petitioners after expiry of the period of agreement for sale. He further submits that moreover, the facts of the present case constitute civil liability and not the criminal liability.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within four 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 the learned Additional Chief Judicial Magistrate, Danapur, Patna in Bihta P.S. Case No. 683 of 2017 subject to condition as laid down under Section 438(2) of the Cr.P.C.

N.K/-

(Hemant Kumar Srivastava, J)

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