

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32403 of 2020

Arising Out of PS. Case No.-293 Year-2020 Thana- SITAMARHI District- Sitamarhi

- =====
1. LALAN SHARMA S/o Late Ratneshwar Sharma R/o village- Muradpur,
P.S.- Dumra, District- Sitamarhi
 2. Arun Kumar Sharma S/o Late Ratneshwar Sharma R/o village-
Muradpur, P.S.- Dumra, District- Sitamarhi

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-02-2021 Heard Mr. Pushpendra Kumar Singh, learned

counsel for the petitioners and learned APP for the State.

The petitioners seek bail in anticipation of their

arrest in connection with Sitamarhi P.S. Case No. 293 of

2020 instituted for the offences under Sections 406, 420

and 34 of the Indian Penal Code.

In the First Information Report, it has been alleged

that the father of the petitioners had agreed to sell a plot of

land to the informant for a consideration amount of Rs. Ten

Lakhs. At the time of negotiations, Rs. One Lakh was paid in

cash. Later, Rs. Eight Lakhs and Fifty Thousand has been



paid to the father of the petitioners and the petitioners but neither the land has been transferred in the name of informant nor the petitioners are willing to return the money.

Learned counsel for the petitioners has submitted that the F.I.R. is absolutely vague in as much as no details of the mode of payment has been stated. After the death of the father of the petitioners, the informant has come with an unbelievable story of his having paid Rs. Eight Lakhs and Fifty Thousand for transfer of a particular plot of land. The petitioners do not know about any such negotiations/transactions between the informant and their late father. There is nothing on record to indicate any agreement with the father of the petitioners or any proof of payment of any money to either the petitioners or to their father.

Considering the afore-stated facts, the petitioners above named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds



of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Sitamarhi P.S. Case No. 293 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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