

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19347 of 2021

Arising Out of PS. Case No.-1837 Year-2019 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. Krishna Devi @ Krishna Kumari Devi Wife Of Sri Prakash Prasad Sah @ Prakash Kumar Sah Resident Of Village- Champa Nagar, P.S.- K. Nagar (Champa Nagar), District- Purnea.
 2. Prakash Prasad Sah @ Prakash Kumar Sah Son Of Late Gyan Chand Sah Resident Of Village- Champa Nagar, P.S.- K. Nagar (champa Nagar), District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Hafiz Son of Md Sayeed Resident of Village- Masuriya, P.S.- Sarsi, District- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 06-12-2022 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in

a case registered for the offences punishable under

Section 420 of the Indian Penal Code.

It is alleged that these petitioners agreed to sell

their land to the brother-in-law (*Sala*) of the complainant

for a consideration amount of Rs. 16,99,000 out of

which Rs. 1,05,000/- has been given as advance to the



petitioners. The complainant's side has paid Rs. 8,00,000/- to the petitioners and when the petitioners were told to execute the sale deed, they denied to execute the sale deed and also denied to return the money which was given as advance to the petitioners.

It is submitted by learned counsel for the petitioners that petitioners have falsely been implicated in this case. It is further submitted that an agreement was executed between the petitioners and brother-in-law(*Sala*) of the complainant and it was agreed that sale deed will be executed within eleven months from the date of agreement. However, in spite of giving notices thrice, the brother-in-law of the complainant did not turn up. Hence, after lapse of eleven months, the petitioners returned the advance money. Moreover, for a civil nature of dispute, the petitioners have been roped in a criminal proceeding. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.



In the facts and circumstance of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Purnea in connection with Complaint Case No. 1837 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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