

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11086 of 2022

Arising Out of PS. Case No.-512 Year-2021 Thana- PURNEA SADAR District- Purnia

1. Ranjana Jha W/O Ashok Kumar Jha Resident Of Village - Khushkibagh, P.S.- Sadar, Purnea, Presently Living At Mohalla - Co-Operative Colony, P.S.- K.Hat (Sahayak), Distt.- Purnea.
2. Ashok Jha @ Ashok Kumar Jha Son Of Late Chadrakant Jha Resident Of Village - Khushkibagh, P.S.- Sadar, Purnea, Presently Living At Mohalla - Co-Operative Colony, P.S.- K.Hat (Sahayak), Distt.- Purnea.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Awadhesh Kumar Mishra
For the Opposite Party/s :	Mr. Ashok Kumar Singh
	Mr. Ram Prawesh Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-09-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 406, 419 and 420 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no.1 is a woman and the informant alleges that he had bought land from the petitioners for Rs.17,55,000/- and the amount was paid on 16.01.2015. It is next alleged that the informant was assured by the petitioners that the land is free from all



encumbrances. Thereafter, the land was mutated and the informant built a house over it. It is next alleged that on 24.12.2020, the S.B.I., Gulabbagh pasted a notice of auction on his house as a loan was pending which was taken against the said land along with some other land and the amount was outstanding.

The learned counsel for the petitioners submits that the accounts of the bank stands settled by the petitioners and as such, the land is free from all encumbrances. It is next submitted that the petitioners had informed the informant that the land was mortgaged before selling, but the informant became ready to purchase the land as the land was centrally located and it also assured that rest of the amount of the bank will be settled by the informant, but after purchasing the land for a less amount, the present case came to be instituted, but then the petitioners have validly discharged their liability.

The learned counsel for the informant as well as the learned Additional Public Prosecutor opposes the anticipatory bail application, but are not able to meet the submission of the learned counsel for the petitioners that the mortgaged stands redeemed as payment has been made by the petitioners.

Considering the submissions made by the learned



counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sadar Purnea P. S. Case No.512 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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