

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15021 of 2022

Arising Out of PS. Case No.-210 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Seema Mishra W/o Sri Prabudh Pritosh Mishra @ Praphul Paritosh Mishra
Resident of Jagat Narayan Road, P.S.- Kadam Kuan, District- Patna
 2. Prabudh Paritosh Mishra @ Praphul Paritosh Mishra S/o Late Prakash
Chandra Mishra Resident of Jagat Narayan Road, P.S.- Kadam Kuan,
District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Ravindra Thakur S/o Not known Secretary of Abhiyanta Grih Nirman
Sahkari Samittee Limited, Patna, R/o A-3, Vijay Nagar, Ras Bihari Path
Rukunpura, P.S.- Rupaspur, District- Patna (Complainant)

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur Mr. Udbhav
For the OP No. 2	:	Mr. Arun Kumar
For the Opposite Party/s	:	Mr. Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-11-2022 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in a case
registered for the offence punishable under Sections 467, 468,
471 and 120(B) of Indian Penal Code.

As per the prosecution case, all the accused persons
including petitioners approached the complainant in his office
and said that they are in urgent need of Rs. 2 crore and if they



do not manage the aforesaid amount then Bank will auction their house. The accused persons further stated to the complainant that they are having the land measuring an area of 3 Bigha, 2 Kattha, 10 Dhur and 12 Dhurki. They further stated other details of land. The accused persons has also brought the paper of the land with them. The accused persons stated that they wanted to sell the land but nobody was ready, so seeing the necessity the sale of land was finalised at Rs. 6,01,000/- per Kattha and accordingly Rs. 1,21,15,000/- was credited to one co-accused. It is further alleged that on pretext of land revenue receipt the accused persons lingered the matter, however on enquiry the complainant came to know that the accused persons had sold and registered the land to other persons on 03.09.2016.

It is submitted on behalf of petitioners that petitioners are bona fide purchaser of the land in question. It is submitted that co-accused Uttam Kumar Singh has executed the sale deed in favour of the petitioners with regard to his own land, no offence is made out against petitioners. It is further submitted that the alleged amount which are said to have been taken, has already been returned through different cheques. Similarly situated co-accused have been granted bail by this Court. Petitioners have got clean



antecedents.

Counsel for informant however vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances, let the above named petitioners in the event of their arrest/surrender before the court below within a period of thirty days from the date of receipt/production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Danapur, Patna in Complaint Case No. 210 (c) of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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