

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37543 of 2022

Arising Out of PS. Case No.-544 Year-2021 Thana- PATLIPUTRA District- Patna

1. Sayed Ghulam Wasey Son of Sayed Ghulam Mustafa Resident of Flat No. 401 High Teck Kailash Apartment, Road No. 3, New Patliputra Colony, P.S.- Patliputra, District- Patna.
2. Nilopher Yashmin Wife of Sayed Ghulam Wasey Resident of Flat No. 401 High Teck Kailash Apartment, Road No. 3, New Patliputra Colony, P.S.- Patliputra, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Sri Niwas Jha, Advocate
For the State	:	Ms. Shaheen Begum, APP
For the Informant	:	Mr. Aniket Kumar Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-11-2022 Heard learned counsel for the petitioners, learned APP for the State as well as learned counsel appearing on behalf of the informant.

The petitioners apprehend their arrest in connection with Patliputra P.S. Case No.544 of 2021, registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

The prosecution case, in brief, is that on 19.01.2021, one Md. Mustak Karim sent details of two properties on the Whatsapp of the informant and said that the properties belong to his elder brother-in-law, i.e., petitioner no.1 and petitioner no.2 is wife of petitioner no.1. It is alleged that after negotiation, the



rate of the flat was fixed at Rs.49,50,000/- and in lieu of same on 22.03.2021 a sum of Rs.2 lacs was transferred by the informant in the bank account of petitioner no.2. It is further alleged that on different dates the informant altogether paid Rs.30,47,000/- and sale agreement was also executed between the parties. However, despite paying the aforesaid amount and execution of agreement, the petitioners alongwith co-accused cheated the informant and sold the said flat to some other person.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. The petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that the matter has been compromised between the parties.

Learned counsel for the informant accepts the fact that the matter has been compromised between the parties.

Considering the fact that the matter has been compromised between the parties, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five



thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Patna in connection with Patliputra P.S. Case No.544 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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