

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56451 of 2021

Arising Out of PS. Case No.-487 Year-2020 Thana- HISUWA District- Nawada

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1. PURUSHOTTAM KUMAR SON OF JAGISH PRASAD YADAV, RESIDENT OF VILLAGE- PANCHU, P.S- HISUA, DIST- NAWADA.
 2. DEEPAK KUMAR SON OF JAGISH PRASAD YADAV, RESIDENT OF VILLAGE- PANCHU , P.S- HISUA, DIST- NAWADA.
 3. VARUN KUMAR SON OF JAGISH PRASAD YADAV, RESIDENT OF VILLAGE- PANCHU, P.S- HISUA, DIST- NAWADA.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 01-09-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

At the very outset, the learned counsel for the petitioners has submitted that during the pendency of this criminal miscellaneous petition, petitioner no. 2, Deepak Kumar has been arrested, as such, this criminal miscellaneous petition has become infructuous with respect to petitioner no.2. He, therefore, seeks permission to withdraw this petition with



respect to him.

In view of above submission, **this criminal miscellaneous petition is dismissed as withdrawn with respect to petitioner no. 2**

So far as petitioner nos. 1 and 3 are concerned, they apprehend their arrest in connection with Hisua P.S. Case No. 487 of 2020 registered for offence punishable under sections 406 and 420 of the Indian Penal Code.

As per allegation, one Jagdish Prasad Yadav executed sale deed in favour of the informant. Later on, it was detected that the property of the subject matter was a disputed property and after concealing this fact, that sale deed was executed.

The learned counsel for the petitioners has submitted that the informant had also filed a complaint petition, but he has withdrawn it. He has submitted further that petitioner nos. 1 and 3 are witnesses of that sale deed and moreover the entire consideration money has been returned to the informant.

The learned counsel for the informant fairly concedes that the entire consideration money has been received by the informant.

Considering the above-mentioned facts and circumstances, **let petitioner nos. 1 and 3**, in the event of their



arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Hisua P.S. Case No. 487 of 2020, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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