

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49798 of 2022

Arising Out of PS. Case No.-59 Year-2022 Thana- GOPALPUR District- Patna

1. Ram Prabesh Mahto @ Ram Pravesh Mahto Son Of Anirudh Mahto Resident Of Village- Dhanki Jalalpur, P.S.- Agam Kuan, District - Patna.
2. Om Nath Mahto Son Of Anirudh Mahto Resident Of Village- Dhanki Jalalpur, P.S.- Agam Kuan, District - Patna.
3. Nimmi Devi Wife Of Late Ram Raj Mahto Resident Of Village- Dhanki Jalalpur, P.S.- Agam Kuan, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rekha Prasad
For the Opposite Party/s : Mr. Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-12-2022 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 120(b), 406, 420 of Indian Penal Code.

Despite taking consideration money from the informant, petitioners neither executed the sale deed nor refunded the amount.

Learned counsel appearing for the petitioners submits



that petitioners are innocent and have falsely been implicated in the present case. As a matter of fact, petitioner Nos. 1 and 2, on 16.04.2021, had executed an unregistered agreement to sale in favour of one Akash Kumar for 6 Katha of land for a sum of Rs. 13,50,000/- out of which Rs. 5,00,000/- was paid at the time of agreement to sale balance Rs. 6,50,000/- at the time of registration. Petitioner No. 3 is widow *bhabhi* of petitioner Nos. 1 and 2 and petitioners are in no way concerned with the informant or his relatives and friends who have entered into an agreement to sale with Akash Kumar. Petitioners never met the informant and his relative or friends. In the entire FIR there is no allegation of taking a single penny in cash or in their bank accounts. Petitioners have got clean antecedent.

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-IX, Patna in Gopalpur P. S. Case No. 59 of 2022, subject to condition as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Navya/-

U		T	
---	--	---	--

