

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56387 of 2021

Arising Out of PS. Case No.-2188 Year-2018 Thana- SARAN COMPLAINT CASE District-
Saran

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1. CHANDAN KUMAR S/o Nand Kishore Singh R/o village- Bearar, P.S.- Rani Talab, District- Patna
 2. GUNJAN KUMAR S/o Nand Kishore Singh R/o village- Bearar, P.S.- Rani Talab, District- Patna

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SULABH KUMAR S/o Late Rajendra Prasad Singh Director Redbrick Home Private Limited, Office 162A, Patliputra Colony, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar
For the Opposite Party/s : Mr.Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 05-07-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest for the offences alleged under Sections 406, 420, 467 and 468/34 of the Indian Penal Code, registered in connection with Complaint Case No. 2188 of 2018(Trial No.2766 of 2020).

As per complaint petition, the complainant entered into an agreement on 10th March, 2017 with co-accused Vibhuti and Neeraj. As per the agreement, co-accused Vibhuti and Neeraj had to execute a sale deed in favour of the complainant for Rs. 3,40,000/- to be paid within eight months. It has been



mentioned in paragraph 7 of the complaint petition that the complainant and Vibhuti and Neeraj have already agreed in respect of transaction of the land, but the Company of the petitioners subsequently entered into an agreement with the complainant.

The learned counsel for the petitioners has submitted that paragraph no.7 of the complaint petition itself shows that petitioners had no knowledge about the agreement between Vibhuti and Neeraj and they were not aware of the fact that an agreement was already entered into between the complainant and co-accused persons Vibhuti and Neeraj. He has submitted further that after lodging of the complaint petition, the entire money was refunded to the complainant.

Considering the above facts and circumstances, let the petitioners above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, be released 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 learned ACJM-II, Saran at Chapra in Complaint Case No. 2188 of 2018 (Trial No. 2766 of 2020), subject to the conditions 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 as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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