

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67211 of 2019

Arising Out of PS. Case No.-131 Year-2019 Thana- SAHPUR District- Patna

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1. Raju Kumar @ Raju Rai, aged about 30 years (male).
 2. Tuntun Rai @ Tuntun Prasad, aged about 34 years (male)
Both sons of Late Deo Nath Prasad R/o village- Shivalapar, P.O. and
P.S.- Shahpur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ajay Kumar Pandey, W/o Sant Kumar Pandey, resident of Village New
Mainpura, P.S. Danapur, Dist. Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.
For the State : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

10 29-03-2022 Heard Mr. Anil Kumar, learned advocate for the
petitioners. The State is represented by learned APP.

There is no appearance on behalf of the opposite party
no.2/informant despite notices having been issued to him and
the same having been served upon the brother of the opposite
party no.2. An affidavit of jointness has also been filed on behalf
of the petitioners.

The petitioners seek bail in anticipation of their arrest
in connection with Shahpur P.S. Case No. 131 of 2019 dated
07.04.2019 instituted for the offences under Sections 406,
420/34 of the Indian Penal Code.

Perforce, this Court has proceeded to hear the bail



application.

The petitioners are said to have accepted a total amount of Rs. 65 lacs from the Informant for transferring a plot of land which has not been transferred. The Informant later came to learn that the same plot of land has been sold to one Ashutosh Kumar. When the opposite party no.2 contacted the aforesaid Ashutosh Kumar, he also is said to have told him that he has paid Rs. 66 lacs but, he too appears to have been cheated.

Learned counsel for the petitioners has submitted that the accusation is absolutely false. The land in question has already been transferred to aforesaid Ashutosh Kumar who is not at all aggrieved by the transaction.

It is the fecundity of the mind of the Informant that such kind of story has spun against the petitioners.

The petitioners deny that any money was given by the opposite party no.2 to the petitioners either by way of cheque or by cash.

Considering the aforementioned submissions on behalf of the petitioners, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of



Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 1st, Danapur, Patna in connection with Shahpur P.S. Case No. 131 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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