

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85032 of 2019

Arising Out of PS. Case No.-613 Year-2018 Thana- COMPLAINT CASE District-
Kishanganj

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1. SAPNA SARKAR W/o Dharmendra Singh, Resident of New Colony Club Maidan, P.S.- Thakurganj, District- Kishanganj.
 2. Deepak Sarkar S/o Late Dinesh Chandra Sarkar, Resident of Near P.W.D. Library, P.O. and P.S.- Adhikari, District- Darjeeling (W.B.).
 3. Golu Kumar Sarkar @ Vishal Sarkar (Golu) S/o Dharmendra Singh Resident of New Colony Club Maidan, P.O. and P.S.- Thakurganj, District- Kishanganj.
 4. Rohan Ranjan S/o Bhim Balish C/o Tenant at the house of Mothilesh Yadav, Residence of P.O. and P.S.- Thakurganj, District- Kishanganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sushant Kumar Sinha Son of Late Ramesh Chandra Sinha, Resident of Chhatarkatharo, P.S.- Powakhali, District- Kishanganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Dilip Kumar Singh
For the Opposite Party/s :	Dr. Indihar Kumari
	Mr. Surendra Prasad Singh
	Mr. Mritunjay Kumar

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

ORAL ORDER

6 10-05-2022 Heard the learned counsel for the petitioners as well as
the learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Complaint Case No. C 613/2018 registered for offence punishable under sections 406 and 323/34 of the Indian Penal Code.

As per allegation, the petitioner failed to execute sale deed of the land in favour of the complainant, despite receipt of



part of consideration money.

The learned counsel for the petitioners has submitted that agreement to sale of the land was executed in the year 2016 and as per terms and conditions of the agreement to sale of the land, the entire consideration money was to be paid within a period of six months, but the complainant failed to make payment of the rest consideration amount and it was the reason that the petitioner did not execute the sale deed. He has submitted further that it is a case of civil nature and if the complainant is aggrieved, she may take recourse of competent court of civil jurisdiction.

Considering the above-mentioned facts and circumstances, let the petitioners above-named, 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 Judicial Magistrate 1st Class, Kishanganj in connection with Complaint Case No. C 613/2018, subject to condition as laid down under section 438(2) Cr. P.C.

(Nawneet Kumar Pandey, J)

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