

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2790 of 2023

Arising Out of PS. Case No.-3372 Year-2011 Thana- SARAN COMPLAINT CASE District-
Saran

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1. SACHIDANAND VERMA @ MUNNA JEE SON OF LATE SURENDRANATH VERMA R/O ARYA SAMAJ PATH, P.S.- SAHEBGANJ, CHAPRA, DISTT.- SARAN, AT PRESENT- MOHALLA- JARAWALI, PHASE-2, HOUSE NO. 37, SHANTI ENCLAVE, P.S.- JARAWALI, DISTT.- KANPUR (U.P.)
 2. RAMJI PRASAD VERMA @ RAJU SON OF LATE SURENDRANATH VERMA R/O ARYA SAMAJ PATH, P.S.- SAHEBGANJ, CHAPRA, DISTT.- SARAN, AT PRESENT- MOHALLA- JARAWALI, PHASE-2, HOUSE NO. 37, SHANTI ENCLAVE, P.S.- JARAWALI, DISTT.- KANPUR (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. PRABHUNATH PRASAD SON OF LATE LAXMI PRASAD R/O VILL.- BAREJA, P.S.- DOUDPUR, DISTT.- SARAN, AT PRESENT- NEW COLONY (MARWARI COLONY) TELPA CHAPRA, P.S.- CHAPRA TOWN, DISTT.- SARAN

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Harish Kumar, Adv.
For the Opposite Party/s :	Mr.Binod Kumar, APP
	Mr.Rajesh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 16-08-2023 Heard learned counsel for the petitioners, learned counsel
for the O.P. No.2 and learned APP for the State.

2. The petitioners apprehend their arrest in a case
registered for the offence punishable u/s 420, 34 of the IPC.

3. As per the prosecution case, on the pretext of
execution of sale deed of a land, the petitioners cheated the
complainant by taking Rs.8,43,000/- and did not execute the



sale deed in favour of the complainant/O.P. No.2.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. It is submitted that petitioners have only taken Rs.6,43,000/- from the O.P. No.2 and have already returned Rs.2 Lacs to the O.P. No.2 and they undertake to return the rest amount of Rs.4,43,000/- within six months. Petitioners have no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the O.P. No.2 opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since the petitioners are agreed to pay Rs.4,43,000/- to the O.P. No.2 within six months, let the above named petitioners, be released on **provisional bail** for a period of six months from today, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Complaint Case No.3372 of 2011, subject to the condition as laid down under



Section 438 (2) of the Cr.P.C.

7. However, the provisional bail of the petitioners shall be confirmed by the learned court below itself on showing the receipt of payment of Rs.4,43,000/- to the O.P. No.2 within the stipulated period.

8. This application is accordingly disposed of.

(Anjani Kumar Sharan, J)

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