

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5622 of 2023

Arising Out of PS. Case No.-517 Year-2021 Thana- GAURICHAK District- Patna

1. Aman Kumar Son Of Shiv Shankar Prasad Sinha Resident Of Village - D. V. C. Chowk, New Jakkanpur, P.S.- Jakkanpur, District - Patna.
2. Rakesh Kumar Son Of Manu Niranjan Prasad Resident Of Village - Yarpur Dr. N. C. Ghose Lane, P.S.- Gardanibagh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-04-2023 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 406, 420, 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that the agreement for sale of land was executed on 05.03.2020 and valid for ten months but the informant did not pay considering amount on time. Thereafter, the co-accused Dhupendra Singh on several time talk with informant and said that he has very need of money but the informant ignoring the same then co-accused sell the land with another person after lapse of valid ten months. He submits that the petitioners are the witnesses of the sale deed. He submits that the informant has already filed T.S. No. 72 of 2021 before



the Sub-Judge-1, Patna City for his grievance. He submits that there is no specific overt act against the petitioners. He submits that co-accused Dhupendra Singh is ready to pay the rest amount to the informant. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that the petitioners are only the witness of the sale deed, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Gaurichak P.S. Case No. 517 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anjani Kumar Sharan, J)

