

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11314 of 2023

Arising Out of PS. Case No.-163 Year-2022 Thana- KATIHAR MUFFASIL District- Katihar

1. Shiv Chandra Jha, Son of Late Harinandan Jha, R/o Village- Laliyahi, P.S.- Sahayak, District- Katihar
2. Bharat Kumar Choudhary, Son of Late Awadh Kishor Choudhary, R/o Village- Laliyahi, P.S.- Sahayak, District- Katihar
3. Baban Jha, Son of Shiv Chandra Jha, R/o Village- Laliyahi, P.S.- Sahayak, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vinod Tatma @ Vinod Kumar, Son of Late Dukhi Prasad Tamta, R/o Village- Chhitabari, P.S.- Muffasil, District- Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 28-04-2023 Heard learned counsels for the petitioners and the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Sections 420 and 406 of the Indian Penal Code.

It is alleged that on 25.01.2018, informant gave Rs. 10,51,000/- to the accused persons and in this connection a bond over non-judicial stamp was also prepared. It is further alleged that on several demands, the accused persons denied to pay the amount and stopped receiving his phone calls.



Learned counsel appearing for the petitioners submits that petitioners have not received any money from the informant. He further submits that as a matter of fact, informant himself mentioned that earlier, he entered into an agreement with petitioner No. 2 regarding the dealing of land and received entire amount and subsequently cancelled the same and put signatures of petitioner Nos. 1 and 2 himself and so allegation against the petitioners is false and concocted. Petitioners have got clean antecedent.

Considering the aforesaid facts and circumstances, let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged 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 Chief Judicial Magistrate, Katihar in connection with Muffasil P. S. Case No. 163 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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