

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21600 of 2023

Arising Out of PS. Case No.-4141 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Usha Devi W/O Ramu Razak Resident Of Village- Musallahpur, Mahendru, P.S.- Sultanganj, District- Patna.
 2. Ramu Razak S/O Late Shivalak Razak Resident Of Village- Musallahpur, Mahendru, P.S.- Sultanganj, District- Patna.
 3. Pinku Kumar @ Rakesh Kumar S/O Ramu Razak Resident Of Village- Musallahpur, Mahendru, P.S.- Sultanganj, District- Patna.

... .. Petitioners

Versus

1. The State Of Bihar
2. Ranju Kumari W/O Sri Anil Kumar Resident Of Village- West Lohanipur, P.O. And P.S.- Kadamkuan, District- Patna.

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Madan Mohan, Advocate
For the Opposite Party/s : Mr.Abhay Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-07-2023 Heard learned counsel for the petitioners and the

State.

Petitioners apprehend arrest in a case registered for
the offence punishable under section 420 of the Indian Penal
Code.

As per the prosecution case, despite taking
consideration money, accused persons neither registered the
land in question nor did they refund the consideration money to
the complainant rather petitioner no.1 executed the sale deed in
favour of some other person.

Learned counsel appearing for the petitioners submits



that as a matter of fact petitioners have never taken any money from opposite party no.2. There is no cheat of paper on record to show that any money was ever paid to these petitioners by the opposite party no.2. The so-called agreement dated 17.5.2016 is forged and fake. Moreover, There is delay of two years in lodging of the FIR and there is no explanation of delay which itself creates doubt over the veracity of the allegation. The dispute is of civil nature.

Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, 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 Judicial Magistrate 1st class Patna in Complaint Case No. 4141C of 2018, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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