

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30283 of 2023

Arising Out of PS. Case No.-830 Year-2020 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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1. Girivar Dubey S/O Late Ram Suresh Dubey R/O Village- Sapnoutiya, P.S- Sonhan, Distt.- Kaimur At Bhabua At Present Resident Of A.S.A 18/127, R.D.V. Bharat Nagar, Police Station And Distt.-Varanasi.
 2. Santosh Dubey @ Santosh Kumar Dubey S/O Girivar Dubey R/O Village- Sapnoutiya, P.S- Sonhan, Distt.- Kaimur At Bhabua At Present Resident Of A.S.A 18/127, R.D.V. Bharat Nagar, Police Station And Distt.-Varanasi.

... .. Petitioners

Versus

1. The State of Bihar
2. Mahendra Dwivedi Son of Mani Dubey Resident of village - Sapnautiya, P.O. - Saitha, P.S. - Sonhan, Distt. - Kaimur (Bhabua)

.. ... Opposite Parties

Appearance :

For the Petitioners	:	Mr.Arun Kumar Lal, Advocate
For the State	:	Mr.Shailendra Kumar, Addl Public Prosecutor
for the opposite party no.2	:	Mr. S.Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-07-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 420/406/34 of the Indian Penal Code.

3. As per the prosecution case, petitioners by entering into an agreement for sale of a piece of land, obtained a sum of Rs.4 lacs from the complainant but later on refused to execute sale deed and also did not refund the said amount to the complainant.

4. It is submitted on behalf of the petitioners that the



complainant is nephew of petitioner no.1 and petitioner no.2 is son of petitioner no.1. Dispute is of civil nature for which Title Suit No. 667 of 2019 has been filed by brother of the complainant in which petitioners are defendants. There is no document on record to show any financial transaction between the parties. Petitioners claim clean antecedent.

5. Learned counsel for the State as well as the informant oppose the prayer for bail.

6. 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, Kaimur at Bhabua in Complaint Case No. 830 of 2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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