

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34524 of 2023

Arising Out of PS. Case No.-2815 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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1. ANIL KUMAR son of Late Ramanan Sharma Village-Lakhibagh, Ps-Masaurhi Dist- Patna
 2. Niru Devi wife of Anil Kumar Village- Lakhibagh, Ps- Masaurhi Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aditya Sharma son of Late Rambriksh Singh Village- Taregna Po- Masaurhi Ps-Masaurhi Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra, Adv.

For the Opposite Party/s : Mr.Ajit Kumar, APP.

Mr. Bijay Kumar Pandey, Adv.

Mr. Braj Kishore, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-08-2023 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 323, 420, 504, 34 of the Indian Penal Code.

3. As per the prosecution case, there was an agreement between the parties that petitioner no.1 had to return the money for seven decimals land by filing money suit if the complainant registered 3 decimal land. In compliance of the alleged agreement, the complainant executed a sale deed of three decimals but petitioner no.1 neither filed money suit nor returned the consideration money to the complainant.



4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. Petitioner no.2 is wife of petitioner no.1. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is civil dispute between the parties. It is further submitted that the petitioners paid the consideration amount to the vendor which is evident from the deed itself. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the complainant opposed the prayer for bail and submitted that despite being compromised, the petitioner no.1 did not pay the consideration amount to the complainant.

6. Having regard to the facts and circumstances of the case, as there is civil dispute between the parties, let the above named petitioners, be released on bail, 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



lower Court where the case is pending/successor Court in connection with Complaint Case No. 2815(C) of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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