

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34843 of 2023

Arising Out of PS. Case No.-750 Year-2022 Thana- GARDANIBAG District- Patna

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1. Narendra Kumar S/O Sri Sukul Rai R/O Mohalla-Saristabad, P.S.-Gardanibagh, District-Patna
 2. Vishal Kumar S/O Sri Narendra Kumar R/O Mohalla-Saristabad, P.S.-Gardanibagh, District-Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Alok Prakash Dhiraj S/O Late Suresh Prasad R/O Mohalla- Saristabad, Purvi Tola, P.S.-Gardanibagh, District-Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alexander Ashok
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 11-08-2023 Heard learned counsel for the petitioners and the State.

2. The petitioners apprehend their arrest in a case, registered for the offences punishable under Sections 406, 420 of the Indian Penal Code.

3. As per the prosecution case, petitioner no. 1 and his son petitioner no. 2 entered into agreement on 02.02.2019 for sale of 01 Kattha 5 dhur of land at the rate of 24 lakh per kattha and thereafter erected boundary wall. The amount was paid and after some time went to residence of the petitioners to pay the rest amount and to get the sale deed registered, but they further



demanded Rs. 5 lakh which was refused and hence the present case was lodged.

4. It is submitted that petitioners have been falsely implicated in this case. The urgency for sale of land was to meet expenses in marriage of daughter of petitioner o. 1 and the marriage of daughter of petitioner no. 1 has been performed in which the petitioner spent the received amount. However, the petitioner undertakes to deposit Rs. 24,00,000/- in the court below in installments within a period of twelve months.

5. Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to 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 the learned Chief Judicial Magistrate, Patna in connection with Gardanibagh P.S. Case No. 750 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that:-

(i.) first installment of Rs. 2,50,000 will be paid in the court below through demand draft at the time of furnishing bail bond.

(ii) rest amount will be paid in installments within a period of twelve months.



(iii) The aforesaid payment shall be subject to the final outcome of the case.

(Prabhat Kumar Singh, J)

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