

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51231 of 2023

Arising Out of PS. Case No.-105 Year-2022 Thana- SHEOHAR District- Sheohar

1. RAGHUNANDAN PRASAD SON OF LATE AMBIKA PRASAD
RESIDENT OF VILLAGE- SHERPUR, MADHURI BHAWAN, NEAR
SHEPUR CROSSING, POST MIC BELA, PS- SADAR THANA DISTT-
MUZAFFARPUR TEMPORALLY BOTH RESIDENTS OF VILLAGE-
RASHIDPUR, PS- SHEOHAR, DISTT- SHEOHAR
2. RAGHUBANSH PRASAD SON OF LATE AMBIKA PRASAD
RESIDENT OF VILLAGE- SHERPUR, MADHURI BHAWAN, NEAR
SHEPUR CROSSING, POST MIC BELA, PS- SADAR THANA DISTT-
MUZAFFARPUR TEMPORALLY BOTH RESIDENTS OF VILLAGE-
RASHIDPUR, PS- SHEOHAR, DISTT- SHEOHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam , Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-08-2023 Heard learned counsel for the petitioners and the

State.

2. Petitioners apprehend their arrest in a case
registered for the offence punishable under sections 420, 409,
406, 471, 34 of the Indian Penal Code.

3. It is alleged that these petitioners agreed to sale a
piece of land of area 9 decimal in favour of informant but after
receiving advance money of Rs. 14 lakhs they refused to
execute the sale deed.

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



per the agreement for sale dated 06.07.2020 entire consideration money was to be paid till Dusherra but the informant deposited only Rs 14 lacs and failed to deposit rest of the amount of Rs 15 lakh 17 thousand. Therefore these petitioners only executed the sale deed of 4 decimal of land in favor of the informant by sale deed number 8585 dated 17.11.2022 of khata number 326 and Khesra number 946 which costs equal to the received amount of Rs 14 lacs. So, it is clear that these petitioners have not committed any fraud to the informant as the sale deed had already been executed before the lodging of this F.I.R. Petitioner no. 1 is retired railway engineer and petitioner no. 2 is retired Nazir from the Civil Court, Begusarai. Petitioners claim clean antecedent.

5. Learned counsel for the State oppose the bail petition.

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named 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 the Learned Chief Judicial Magistrate, Sheohar in connection with Sheohar P.S. Case No. 105 of 2022, subject to the



conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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