

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53265 of 2023

Arising Out of PS. Case No.-200 Year-2021 Thana- BODHGAYA District- Gaya

1. SUDHIR KUMAR PANDEY S/O KRISHAN KUMAR PANDEY R/O OF VILLAGE- NEOTAPUR, P.S.- BODHGAYA, DISTT.- GAYA,
2. AVINASH KUMAR PANDEY @ ABHINASH KUMAR PANDEY S/O KRISHNA KR. PANDEY R/O OF VILLAGE- NEOTAPUR, P.S.- BODHGAYA, DISTT.- GAYA,

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Prasad
For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 08-11-2023 Heard learned counsel for the petitioners as well as the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bodhgaya P.S. Case No. 200 of 2021, registered for the offences punishable under Sections 420, 406, 379, 323, 504, 506, 34 of the Indian Penal Code.

3. As per allegation, the father of the petitioner did not execute the sale deed in favour of the informant despite agreement to sale in his favour.

4. The learned counsel for the petitioner has submitted that the petitioners are not the party to the transaction. They are only signatory of the agreement to sale as an attesting witnesses,



as such, no criminal liability attracts against them.

5. On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that the mens rea of the petitioners also reflects as they had put their signatures on deed of agreement of sale.

6. The petitioners are not the party to the transaction. As such, no criminal liability attracts against them.

7. Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released 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 learned 10th Additional Sessions Judge at Gaya in connection with Bodhgaya P.S. Case No. 200 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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