

Arising Out of PS. Case No.-431 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya



468 , 504, 506 and 34 of the Indian Penal Code.

3. Earlier prayer for bail of the petitioner was dismissed as withdrawn by order dated 03.07.2023, in view of the fact that petitioner has already availed the benefit of Section 41(1) of the Cr. P . C .

4. It is alleged that even after receiving the consideration amount of Rs. 7,00,000/-, petitioners refused to execute the sale deed in favour of the complainant.

5. It is submitted on behalf of the petitioners that the dispute is of civil nature, mere breach of contract does not give rise to criminal prosecution for cheating unless a fraudulent or dishonest intention was present right from the beginning of transaction. The present complaint case has been lodged only with a view to pressurize and harass the petitioners to settle the civil dispute.

6. Learned counsel for the State and Informant vehemently opposed the bail petition.

7. 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 Additional Chief Judicial Magistrate, Sherghati,
Gaya in connection with Complaint Case No.- 431 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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