

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54077 of 2022

Arising Out of PS. Case No.-5 Year-2022 Thana- KAJRAILICHAK District- Bhagalpur

1. SONU KUMAR YADAV S/o Laxman Prasad Yadav R/o village- Karela, P.S.- Madhusudanpur (Nath Nagar), District- Bhagalpur
2. Subodh Kumar Yadav S/o Prasadi Prasad Yadav R/o village- Bhotudiya, P.S.- Nath Nagar, District- Bhagalpur
3. Umesh Kumar Singh S/o Late Vishwanath Prasad Singh R/o village- Kanchchia, P.S.- Nath Nagar, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 01-02-2023 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State.

The petitioners apprehend their arrest in connection with Kajraili P.S. Case No. 05 of 2022, registered for the offences punishable under Sections 420, 406, 120(B), 34 of the Indian Penal Code.

As per allegation, an agreement to sale was entered between the informant and co-accused Sanjay Kumar Yadav. As per terms and conditions of the agreement to sale, Sanjay Kumar Yadav has to transfer his land till 28.02.2021. The consideration money fixed was Rs. 1,14,30,000/-, out of which Rs. 11,00,000/- was paid. But the sale deed was not executed.



The learned counsel for the petitioners has submitted that the petitioners are not the party to the agreement, rather they are attesting witnesses of the agreement to sale. But the informant has falsely made allegation that they are brokers. They are the persons of clean antecedents and the FIR was lodged after one year of expiry of that agreement.

Considering the above-mentioned facts and circumstances, especially, the clean antecedent of the petitioners, let them, 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 A.C.J.M.-XIV, Bhagalpur in connection with Kajraili P.S. Case No. 05 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

kundan/-Nirmal

U		T	
---	--	---	--

