

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57412 of 2022

Arising Out of PS. Case No.-348 Year-2022 Thana- PURNIA COMPLAINT CASE District-
Purnia

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1. Manohar Choudhary Son Of Sri Nandlal Choudhary R/O Village-
Dhokardhara, P.S.- Banmankhi, District- Purnea
 2. Pankaj Kumar Chaudhary Son Of Sri Ramchandra Chaudhary R/O Village-
Dhokardhara, P.S.- Banmankhi, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Mohthasim Son Of Musa R/O Village- Islampur, P.S.- K. Nagar,
District- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Dr. Suraj Narain Yadav, Advocate. Mr. Anil Kumar Anal, Advocate.
For the Informant	:	Mr. Binod Kumar Sinha, Advocate.
For the Opposite Party/s	:	Ms.Sharda Kumari, APP.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 30-01-2023 Learned counsel for the petitioners is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

Heard learned counsel for the petitioners, learned
counsel for informant and learned Additional Public Prosecutor
for the State.

The petitioners are apprehending their arrest in
connection with Complaint Case No. 348 of 2022 registered for
the offences punishable under Sections 468, 420 and 120B of
the Indian Penal Code.



As per the prosecution case, the complainant with the help of others entered into an agreement with all the accused persons including the petitioners to purchase their land situated at Mauza Bithnauli Khemchand bearing Survey Khata No. 1699, Survey Khesra No. 1022 total area 10 Kathas at the rate of Rs. 2,00,000/- per katha and paid advance of Rs. 4,00,000/- to the accused persons including the petitioners out of total consideration money but the accused persons/petitioners in spite of repeated request made by the complainant to execute the sale deed of the aforesaid land, all the accused persons including the petitioners started dilatory tactics in execution of the sale deed. Thereafter, the complainant had sent a pleader notice to the petitioners for execution of the sale deed of the said land but all went in vain.

Learned counsel for the petitioners and the learned counsel for the informant/opposite party no. 2 appear before the Court and jointly submits that the dispute between the parties has already been settled and the amount, in question, has been paid to the informant/opposite party no. 2. To this effect, a compromise petition, signed by both the parties, has been produced in Court, which suggests that at present there is no dispute between the parties.



Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court concerned, Purnea in connection with Complaint Case No. 348 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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