

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64231 of 2022

Arising Out of PS. Case No.-537 Year-2022 Thana- AHIYAPUR District- Muzaffarpur

1. SMT RENU VERMA @ RENU VERMA @ RENU DEVI W/O Late Sushil Kumar Verma
 2. Sumit Kumar Verma S/O Late Sushil Kumar Verma
- Both R/O Mohalla- Shivaji Nagar, Bibi Jang, P.O MIT, P.S- Sadar, District- Muzaffarpur, Pin Code- 842003

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Advocate
		Ms. Kumari Chandna, Advocate
For the Opposite Party/s	:	Mr. Mithlesh Kumar Khare, AAP
For the informant	:	Mr. Awadhesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 22-05-2023 Heard Mr. Ansul, learned counsel for the petitioners and Mr. Awadhesh Kumar who represent the informant as also the State.

The petitioners apprehend their arrest in connection with Ahiyapur P.S. Case No. 537 of 2022 instituted under Sections 467, 468, 420, 406, 506, 120 (B) / 34 of the Indian Penal Code lodged on 22.06.2022 by the informant Radha Mohan Singh.

As per the prosecution story, an agreement to sale of



land bearing Khata no.15 Khesra no. 275 area 1 katha 10 dhurs was finalized at the rate of Rs. 14,10,000/- per katha between him and the petitioners through one Babloo Singh. After finalization of same, he paid cash Rs. 6,00,000/- each twice in presence of Babloo Singh. Besides the above, Rs. 11,00,000/- was paid through cheques bearing cheque no. 074960 and 074961 in the account of petitioner no.1. Later both the petitioners turned their eyes away on the point of execution of sale deed in his favour. It has also been alleged that when he asked them to return his money back, the accused persons gave threat of killing. Accordingly the FIR.

At the outset learned counsel for the petitioners submit that he is providing the draft of Rs.11 lacs to the informant through Bank Draft Nos. 594288,594289 & 594287 issued by Punjab and Sind Bank.

Mr. Awadhesh Kumar, learned counsel for the informant has gone through the three drafts and/is satisfied that the same are genuine. A photocopy of the drafts showing receipts of learned counsel for the informant has been provided and is kept on record.

In view of the fair stand taken by both the sides, this Court is inclined to extend the privilege of anticipatory bail to



the petitioners herein.

Let the petitioners be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.25,000/-(Rupees Twenty Five Thousand) each with two sureties of the like amount each in connection with Ahiyapur P.S. Case No. 537 of 2022 to the satisfaction of learned learned Chief Judicial Magistrate, Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(i) the petitioners will make themselves available to the police as and when required in course of investigation;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty



to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /
Sunil

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