

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70860 of 2022

Arising Out of PS. Case No.-223 Year-2022 Thana- GAURICHAK District- Patna

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1. RANJAN SINGH SON OF RAM UGRAH SINGH R/O VILLAGE-
GAWASH PUR, P.S.- GAURICHAK, DISTRICT- PATNA.
 2. PUTUSH KUMAR SON OF KIRAN SINGH R/O VILLAGE- GAWASH
PUR, P.S.- GAURICHAK, DISTRICT- PATNA.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. GURIYA DEVI WIFE OF KAMLESH KUMAR R/O VILLAGE-
GAWASH PUR, P.S.- GAURICHAK, DISTRICT- PATNA.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo
For the Opposite Party/s : Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 06-07-2023 Heard both sides.

I.A. No.1 of 2023 has been filed by learned counsel
for the petitioner stating therein that O.P. No.2 and her uncle
live in jointness.

In view of the fact aforesaid, the notice issued upon
O.P. No.2 is treated to be validly served.

Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in connection with
Gaurichak P.S. Case No.223 of 2022, registered for the offences
punishable under Section 406, 420 and 34 of the Indian Penal



Code.

The informant alleged that an agreement between the parties has been executed for purchase of a piece of land. The informant gave Rs.8,86,000/- to the petitioners which amount is mentioned on the agreement paper and Rs.3,00,000/- was transferred in the account of petitioner no.2, Putush Kumar. It is alleged that she has already given Rs.18,86,000/- to the petitioners, but they have not executed the sale deed. It is further alleged that the petitioners are neither executing the sale deed nor returning the amount given to them.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is submitted that petitioners have got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that the dispute between the parties is civil in nature and a title suit being Title Suit No.202 of 2019 is going on between the parties.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioners.

Considering the fact that the dispute between the parties is civil in nature, let petitioners, above named, in the event of their arrest or surrender before the learned court below



within a period of six weeks from today, be released on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Patna City, Patna in connection with Gaurichak P.S. Case No.223 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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