

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79989 of 2023

Arising Out of PS. Case No.-699 Year-2022 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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1. UDAY KUMAR @ UDAY KUMAR SINGH SON OF LATE VISHUNDEO PRASAD SINGH RESIDENT OF VILLAGE- BALTARA, PS- GOGRI (PAURA), DISTT- KHAGARIA
 2. SOBHA DEVI WIFE OF UDAY KUMAR @ UDAY KUMAR SINGH RESIDENT OF VILLAGE- BALTARA, PS- GOGRI (PAURA), DISTT- KHAGARIA

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. Sudhir Singh son of chhabi singh, R/O- Village- Nirpur, P.S.- Chautham, District- Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Binay Kumar
For the Opposite Party/s :	Mr. Anant Kumar 1
	Mr. Purushotam Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioners, learned counsel for the complainant as well as learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 406, 420, 420B, 34 of the Indian Penal Code.

3. The allegation against the petitioners is that, after taking consideration amount of Rs.22 lakhs from the complainant they did not executed the sale deed. Petitioners returned Rs.15 lakhs whereas Rs.7 lakhs is still pending.



4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. He submits that the petitioners are ready to return the amount of Rs.7,00,000/- to the complainant. Petitioners have no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the complainant opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as considering the arguments advanced by the parties, let the above named petitioners, be released on *provisional* bail for a period of three months, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Complaint Case No.699C of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, learned Court below is directed to confirm the provisional bail of the petitioners after satisfying that the



petitioners have paid Rs.7,00,000/- to the complainant.

8. Accordingly, this application is disposed of.

(Anjani Kumar Sharan, J)

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