

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8214 of 2024

Arising Out of PS. Case No.-318 Year-2022 Thana- KANTI District- Muzaffarpur

Shrimati Jyoti Kumari @ Jyoti Kumari Wife of Shree Samarjeet Singh @ Samar jeet Kumar Resident of Village- Bhagwanpur, North Side from the Bhamasah Door Near Transformer, P.S.-Muzaffarpur Sadar, Distt.-Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramanand Thakur Son of late Hardev Thakur Resident of Mohalla- B.B. Ganj, Main road, P.S.-Muzaffarpur Sadar, Distt.-Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Chandra Gandhi , Advocate
For the Opposite Party/s	:	Mr. Awadhesh Kumar Singh, APP
For OP 2	:	Yugal Kishore, Advocate
		Sanjeev Kumar , Advocate
		Rupa Kumari , Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 04-07-2024 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Sections 420, 406 and 34 of the Indian Penal Code .

3. As per prosecution case, this petitioner refused to execute sale deed in favour of the informant for which payment was made to the petitioner and others pursuant to an agreement.

4. Learned counsel for the petitioner submits that as



per agreement informant was to pay Rs. 9 lacs but he had only paid Rs. 2,00,000/- (Two lakhs) and therefore the petitioner did not execute the sale deed in favour of the informant. However, petitioner is ready to return the amount of Rs. Rs. 2,00,000/- (Two lakhs), in installments, which the informant claims to have given to the petitioner for purchasing the land in question.

5 . Learned counsel for the opposite party No. 2 did not controvert the submission made on behalf of petitioner.

6. Considering the aforesaid contention made on behalf of the petitioner, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate – Ist Class Muzzaffarpur West in connection with Kanti P. S. Case No. 318 of 2022 , subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with direction to the petitioner that :-

(i) Petitioner shall refund Rs. 1,00,000/- (Rs. One Lac) through Demand Draft to the informant at the time of furnishing bail-bond and thereafter, rest amount i.e., 1,00,000/- (Rs. One



Lac) shall be deposited in two installments within six months through Demand Draft to the informant, failing which, the learned court below would be at liberty to cancel the bail-bond.

6. It is made clear that without going into the merit of the case, this order has been passed only for the purpose of bail.

(Prabhat Kumar Singh, J)

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