

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23619 of 2024

Arising Out of PS. Case No.-204 Year-2023 Thana- LAUKAHI District- Madhubani

1. Surya Narayan Sah S/o Late Ram Lal Sah R/o Vill - Jhahuri, P.s. - Laukahi, Distt. - Madhubani
2. Dharmendra Sah S/o Sri Surya Narayan Sah R/o Vill - Jhahuri, P.s. - Laukahi, Distt. - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jagar Nath Yadav S/o Kamal Narayan Yadav R/o vill - Chichodhwa, P.S. - Laukahi, Distt. - Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shailendra Kumar Jha, Advocate
For the State	:	Mr. Ram Naresh Ray, APP
For the Informant	:	Mr. Girish Chandra Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 10-05-2024 Heard learned counsel for the petitioners, learned counsel for the informant as well as learned APP for the State.

02. In the present case, the petitioners seek bail in connection with Laukahi P.S. Case No. 204 of 2023, registered for the alleged offences under Sections 420, 406, 467, 468, 471 and 34 of the Indian Penal Code.

03. As per prosecution case, the petitioners entered into an agreement with the informant for transfer of one *kattha* land and refused to transfer the same even after taking Rs. 5,09,000/- from the informant.

04. Learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in this case. The informant of this case recorded his statement before the Notary Public wherein he admitted that he made the payment of Rs. 3,60,000/- to the petitioner no. 1 out of total consideration amount of Rs. 6,50,000/- and as he could not make payment of remaining amount due to paucity of fund, he took back his money from the petitioner no. 1. Learned counsel further submits that other co-accused persons have been granted anticipatory bail by this Court vide order 02.04.2024 passed in Criminal Misc. No. 20836 of 2024. Learned counsel further submits that the petitioner no. 1 is having no criminal history whereas petitioner no. 2 is having criminal antecedent of one case. The petitioners are in custody since 20.10.2023 and 02.12.2023, respectively and charge-sheet has been submitted.

05. Learned APP for the State as well as learned counsel for the informant oppose the prayer for bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the period of custody of the petitioners along with submission of charge sheet, they are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate-I, Jhanjharpur, Madhubani in connection with Laukahi P.S. Case No. 204 of 2023, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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