

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27560 of 2023

Arising Out of PS. Case No.-1318 Year-2022 Thana- DANAPUR District- Patna

1. ARVIND SHARMA @ ARVIND KUMAR S/O LATE PRAHALAD SHARMA Managing Partner of M/S City Greenss Infrastructure Resident of Flat No.- 301, Bishun Bhawan, East Boring Canal Road, P.S.- Budha Colony, District- Patna (Bihar).
2. PRAVIN KUMAR SINGH S/O SATYENDRA NARAYAN SINGH Managing Partner of M/s City Greenss Infrastructure Shanti Bhawan, Puran Chak, Badhi Tola, Behind City Court, Patna City, P.S.- Alamganj, District- Patna (Bihar).
3. SAURABH KUMAR S/O SUSHIL KUMAR Managing Partner of M/s City Greenss Infrastructure Bhadra Ghat, Idgah Road, Sampatchak, Gulzarbagh, P.S.- Alamganj, Patna, District- Patna (Bihar).

... .. Petitioner/s

Versus

The State of Bihar and Anr.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Singh

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

10 07-03-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Danapur P.S. Case No. 1318/2022, dated 21.11.2022, registered for the offences punishable under sections 420, 506 and 120B of the Indian Penal Code.

3. As per the prosecution case, a Flat No. 309-B-block



in the Greens Infrastructure apartment pertaining area of 684 Sq. feet was agreed to be sold by the petitioners to the informant on a consideration money of Rs. 27,39,000/- and 90% amount of the said consideration amount was paid in the year 2020 and the rest amount is said to be paid at the time of registry. Nevertheless, the delivery and registration of the said flat were made to be delayed. The informant began to live in the flat. However, the petitioners did not register the said flat in her favour and illegally demanded 10% extra amount and threatened to cut off electricity and water supply to the informant.

4. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioners have got two criminal antecedents as stated in para 3 of the bail petition. There is no specific overt act against these petitioners. Learned counsel further submitted that the petitioners never threatened the informant and her family members. On the other hand, the informant and her husband threatened to the petitioners that my husband is a government employee in the District Magistrate Office. It is a case of civil dispute. The petitioners always requested the informant for the payment of the last installment for the registry of their flat but the informant did not do so. It is further alleged that Flat No.



309-B-block has been registered in favour of the informant and her husband through registered sale deed dated 13.01.2023. Learned counsel has further alleged that the remaining works of the said apartment shall be completed within 2-3 months as mentioned in para-2 of the supplementary affidavit.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case and the nature of allegation against the petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Danapur, Patna in connection with Danapur P.S. Case No. 1318/2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further condition:

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, their bail bonds



are liable to be cancelled.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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