

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44415 of 2024

Arising Out of PS. Case No.-1721 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Suresh Singh, aged about 67 years, Gender-M, S/o- Late Jagdeo Singh.
 2. Munna Kumar @ Utpalkant Singh, aged about 44 years, Gender-M, S/o Sri Suresh Singh.
 3. Aatish Kumar, aged about 40 years, Gender-M, S/o Sri Suresh Singh.
 4. Chimpu @ Sujit Kumar, aged about 38 years, Gender-M, S/o Sri Suresh Singh.
 5. Manjit Kumar Singh, aged about 31 years, Gender-M, S/o Sri Suresh Singh.
- All are resident of village - Makhdumpur, P.S. - Danapur, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Yugeshwar Singh S/o Nathuni Singh R/o vill - Mulichak Khajpura, P.S. - Hawai Adda, Distt. - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Shrivastava, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-07-2024 Heard Mr. Arvind Kumar Shrivastava, learned counsel appearing on behalf of the petitioners and Mr. Rajendra Prasad Nat, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Complaint Case No. 1721 (c) of 2016, registered for the offence punishable under Sections 323, 379 and 506 of the Indian Penal Code.

3. As per the allegation made in the complaint lodged by the complainant against the petitioners, complainant had



purchased a piece of land from the petitioners around twenty years ago and, thereafter, the petitioners had started demanding high price for the said land, which is breach of contract.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. He further submitted that from the perusal of the complaint, it would appear that there is no evidence in respect of land, for which the petitioners had demanded high price from the complainant. Even the description of land has not been mentioned in the complaint. The deposition of the witnesses, which has been brought on record, also doesn't reveal the fact that for which land, the petitioners had promised to sale to complainant or the same was sold to the complainant. The complaint itself doesn't reveal any allegation for calling prosecution against the petitioners. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the complaint, as well as, in absence of any description in respect of the land in question, I am of the opinion that petitioners have,



prima facie, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four 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 learned J.M. First Class, Patna, in connection with Complaint Case No. 1721 (c) of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. **The Court below is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.**

(Purnendu Singh, J)

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