

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32969 of 2024

Arising Out of PS. Case No.-423 Year-2022 Thana- RAMPUR District- Gaya

1. Ajay Kumar Son Of Bhajju Das Village- Salaiya, P.S.- Dumariya, Dist- Gaya
2. Suresh Das Son Of Bhajju Das Village- Salaiya, P.S.- Dumariya, Dist- Gaya
3. Shiv Dayal Kumar Son Of Bhajju Das Village- Salaiya, P.S.- Dumariya, Dist- Gaya
4. Jharna Devi Wife Of Ajay Kumar Village- Salaiya, P.S.- Dumariya, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-06-2024 Heard learned counsel for the petitioners and learned counsel for the State.

2. The petitioners apprehend their arrest in connection with Rampur P.S. Case No. 423 of 2022 registered under Sections 420, 406 and 120B of the Indian Penal Code.

3. The prosecution case, in brief, is that informant was in need of money and these petitioners agreed to purchase the land from informant and Rs.55,00,000/- consideration amount was fixed. The petitioners gave Rs.39,50,000/- in total and influenced the informant to sign the sale deed of the land. It is further alleged that the petitioners gave three cheques of Rs. 5



lakh but it was returned due to insufficient balance.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case due to dirty village politics. Further submission is that the petitioners have purchased the land from the informant through registered sale deed on 14.12.2021 with consideration money of Rs.40,00,000/- (Forty Lakhs). It is submitted that petitioners had paid Rs.32,50,000/- in cash and Rs.7,50,000/- through cheques which is evident from Clause-2 of registered sale deed (Annexure-2). At the time of agreement, the petitioners had given three cheques of Rs.5,00,000/- to the informant but at the time of preparing sale deed, the petitioners had given a cash of Rs.32,50,000/- and in good faith, they could not take the said three cheques from the informant. The informant had given assurance that he will return the cheques later on but despite return the same, the informant with malafide intention has lodged the present false and concocted case only to take more money from the petitioners. Moreover, the dispute is purely of civil nature. Petitioners claim clean antecedent.

5. Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned court below



within a period of six weeks from today, on furnishing bail bond of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate-I, Gaya in connection with Rampur P.S. Case No. 423 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

utkarsh/-

U		T	
---	--	---	--

