

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37795 of 2024

Arising Out of PS. Case No.-394 Year-2023 Thana- BEGUSARAI TOWN District- Begusarai

1. RAJ KUMARI DEVI W/O LATE RAM SUDHIR SAH R/O VILLAGE-BISHNUPUR PARAWT, P.S- NAGAR, DISTT.- BEGUSARAI.
2. SILPI KUMARI D/O LATE RAM SUDHIR SAH R/O VILLAGE-BISHNUPUR PARAWT, P.S- NAGAR, DISTT.- BEGUSARAI.
3. SUMAN RAJ GUPTA @ SONU S/O LATE RAM SUDHIR SAH R/O VILLAGE- BISHNUPUR PARAWT, P.S- NAGAR, DISTT.- BEGUSARAI.
4. MANISH RAJ GUPTA @ MONU S/O LATE RAM SUDHIR SAH R/O VILLAGE- BISHNUPUR PARAWT, P.S- NAGAR, DISTT.- BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Bipin Kumar, Advocate
For the State	:	Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-07-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 420, 406, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, it is alleged that despite taking part consideration money amounting to Rs. 5,00,000/-, these petitioners refused to execute the sale deed in favour of the informant.

4. It is submitted by learned counsel appearing on



behalf of the petitioners that from bare perusal of the F.I.R. it is evident that specific allegation of cheating is against co-accused Shobhraj Gupta. Even the alleged agreement of sale does not bear the signature of these petitioners. There is no allegation that any of these petitioners received single farthing from the informant. Moreover, the dispute is of civil nature for which the informant as got alternative remedy of filing civil suit under Specific Performance Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances and nature of accusation, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Town P.S. Case No. 394 of 2023, subject to condition as laid down under Section



438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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