

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38453 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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1. Ranvir Kumar Son of Subodh Kumar Ojha Resident of Village - Khabra, P.S.- Sadar, District - Muzaffarpur.
 2. Subodh Kumar Ojha Son of Late Krishnadeo Ojha Resident of Village - Khabra, P.S.- Sadar, District - Muzaffarpur.
 3. Abhishek Chaudhary Son of Manoj Kumar Choudhary Resident of Mohalla - Jhanda Chowk, Marwah Colony, Near Vaishnav Mandir, P.S.- Ramgarh, Distt.- Ramgarh (Jharkhand).
 4. Manoj Kumar Choudhary Son of Jay Narayan Choudhary Resident of Mohalla - Jhanda Chowk, Marwah Colony, Near Vaishnav Mandir, P.S.- Ramgarh, Distt.- Ramgarh (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nutan Kumari Wife of Shree Rajesh Kumar Resident of Village - Ratnauli, P.S.- Maniyari, District - Muzaffarpur. At present residing at Nawal Kishor Nagar Khabra, P.S.- Sadar, Distt.- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shanti Bhushan Singh, Adv.
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP
		Mr. Dhananjay Kumar Tiwary, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-07-2024 Heard the parties.

2. The petitioners apprehend their arrest in connection with Sadar P.S. Case No. 22 of 2024 registered under Sections 406, 420, 120B and 34 of the Indian Penal Code.

3. It is alleged that petitioners took consideration amount of Rs. 10,20,000/- for sale a piece of land to the informant but failed to execute the sale deed. It is further alleged that when



informant claimed to refund the consideration amount, the petitioners did not return the consideration amount.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. Further submission is that the dispute involved in the alleged FIR is of a civil nature, none of the acts allegedly committed by the petitioners gave rise to any criminal liability. The perusal of the FIR would make it clear that there was a dispute of sale and purchase of land between the parties. At this stage without admitting their guilt, petitioners are ready to deposit Rs. 7,05,000/- in easy installments.

5. Considering the aforesaid contention made on behalf of the petitioners, 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 Chief Judicial Magistrate, Muzaffarpur in connection with Sadar P.S. Case No. 22 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr. P.C. with direction to the petitioners that :-

i. Petitioners shall deposit Rs. 2,05,000/- (Two Lakh



Five Thousand) in the *Nazarat* and will produce the receipt of the same at the time of furnishing bail-bond in the Court below, and the rest amount i.e. Rs. 5,00,000/- (Five Lakhs) shall be paid in four equal installments within a period of one year, failing which, the learned Court below would be at liberty to cancel the bail-bonds.

6. It is made clear that this order has been passed for the purpose of bail without going into the merit of the case, and the payment of aforesaid amount shall be subject to the final outcome of the case.

(Prabhat Kumar Singh, J)

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