

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.61093 of 2024

Arising Out of PS. Case No.-1839 Year-2023 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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1. Deo Brat Singh @ Deobrat Singh Son of Janak Deo Singh @ Janakdeo Singh Resident of Village - Mahuli, P.S. - Ara (Muffasil), District - Bhojpur. At present Residing At Bhulla Main Road, Rishra, P.S. - Sri Rampur, District - Hooghly (West Bengal)
 2. Janak Deo Singh @ Janakdeo Singh Son of Late Ramsewak Singh Resident of Village - Mahuli, P.S. - Ara (Muffasil), District - Bhojpur. At present Residing At Bhulla Main Road, Rishra, P.S. - Sri Rampur, District - Hooghly (West Bengal)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Satyendra Bahadur Singh Son of Late Ram Narayan Singh Resident of Mohalla - Singh Colony Purani, Police Lines, Ara, P.S. - Ara (Town), District - Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhaskar Shankar
For the State	:	Mr. Chandra Bhushan Prasad
For the Complainant	:	Mr. Ram Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-11-2024 Heard learned counsel for the petitioners, learned
A.P.P. for the State and learned counsel for the complainant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 406 of the Indian Penal Code.

3. As per the prosecution case, it is alleged that the petitioners have taken consideration money from the complainant for execution of sale deed but they neither have executed the sale deed nor have returned the said money.

4. Learned counsel for the petitioners submits petitioners are innocent and have been falsely implicated in this



case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioner no.1 has no criminal antecedent and petitioner no. 2 has two criminal antecedent as mentioned in para-3 of this application.

5. Learned counsel for the petitioners submits that by order dated 27.09.2024, the petitioners admit the factum of receiving a total amount of Rs.21,05,007/- (Rupees Twenty One Lakhs Five Thousand and Seven Rupees) and they are ready to return the said amount, but the complainant is not ready to accept the said amount.

6. Considering the above-mentioned facts, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six 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 the learned lower Court where the case is pending/successor Court in connection with Complaint Case No.1839(C) of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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