

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63933 of 2024

Arising Out of PS. Case No.-174 Year-2023 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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1. Randhir Kumar Son of Bishundeo Prasad Singh Resident of Village - Nathuni Aatapur, P.S.- Hasanpur, District - Samastipur.
 2. Shimpi Rani @ Simpi Rani Wife of Randhir Kumar Resident of Village - Nathuni Aatapur, P.S.- Hasanpur, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Kumar Sah Son of Devnarayan Sah Resident of Village - Bhagat Tola, Mathurapur, P.S. and District - Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rahul Singh, Advocate
For the Opposite Party/s	:	Mr. Prem Kumar Jha, APP
For the Informant	:	Mr. Nitin Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 18-12-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioners apprehend their arrest in connection with Complaint Case No.174C of 2023 in which cognizance has been taken for offence under Sections 420, 406/34 of the Indian Penal Code.

3. The allegation against the petitioners is to have cheated the complainant by receiving Rs.3,00,000/- from the complainant for selling of land of Mauja Bhadas total area 7 kathha, 13 dhur and 10 dhurkies.



4. Learned counsel appearing on behalf of the petitioner submits that the petitioner has falsely been implicated in the present case. It is submitted that petitioner is ready to pay Rs.1,00,000/- to the complainant as petitioners have taken only Rs.1,00,000/- from the complainant. It is submitted that petitioners are man of clean antecedent.

5. Learned APP appearing on behalf of the State duly assisted by learned counsel for the informant opposes the prayer of bail of the petitioners and learned counsel for the complainant submitted that the petitioners received total Rs.3,00,000/-.

6. Considering the aforesaid facts and circumstances of the case, submissions made on behalf of the petitioner and nature of allegation, it is a fit case for grant of privilege of anticipatory bail to the petitioners with a condition that petitioners shall pay a sum of Rs.1,00,000/- (Rupees One Lakh Only) to the complainant without adverse effect on trial before furnishing the bail bonds before learned trial court, let both the above-named petitioners be released on anticipatory bail in the event of their arrest or surrender before the trial court within a period of six weeks from today on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like



amount each to the satisfaction of learned Judicial Magistrate,
1st Class, Khagaria, in connection with Complaint Case
No.174C of 2023 subject to the condition laid down under
Section 438(2) of Cr.P.C.

7. Learned trial court is directed to verify the
receipt of payment of Rs.1,00,000/- made to the complainant
before accepting the bail bond of the petitioners.

(Ramesh Chand Malviya, J)

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