

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77539 of 2023

Arising Out of PS. Case No.-649 Year-2022 Thana- SASARAM NAGAR District- Rohtas

1. Sheo Prasad Yadav S/O Late Jag Dayal Yadav Village- Asia, Ps. Natwar, Dist. Rohtas
2. Rahul Yadav S/O Sheo Prasad Yadav Village- Asia, Ps. Natwar, Dist. Rohtas
3. Sanjay Yadav S/O Sheo Prasad Yadav Village- Asia, Ps. Natwar, Dist. Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dinesh Kumar Ram S/O Sri Ishwar Dayal Ram Village- Suraundha Colony, Koelwar, Dist. Bhojpur. At Present- R/O Village- Mokar, Ps. Agrer, Dist. Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.
Mr. Shashikant, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-04-2024 Heard learned counsel for the petitioners, opposite party No. 2 and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 406, 420, 120(B), 504, 506 of the Indian Penal Code.

3. As per the prosecution case, these petitioners despite taking consideration money in advance, did not execute the land in favour of the complainant and refused to return him the money.

4. Learned counsel for the petitioners denies the



prosecution case. He submits that petitioners are neither purchasers nor sellers of the land in question. He next submits that there is no chit of paper in support of the fact that these petitioners ever took any money from the complainant. Moreover, the dispute is of civil nature and complainant has got remedy in civil law for redressal of his grievance. Petitioners claim clean antecedent.

5. Learned counsel for the complainant vehemently opposes the bail application.

6. Considering the nature of accusation and facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, 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 Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram Nagar P. S. Case No. 649 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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