

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33550 of 2025

Arising Out of PS. Case No.-1770 Year-2024 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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1. Most. Shyama Devi w/o- Late Udesb Rai Village- Chapra Mobarak Ps- Rampur hari Dist-Muzaffarpur
 2. Jaiprakash Yadav S/o- Late Ram Udesb Rai Village- Chapra Mobarak Ps- Rampur hari Dist-Muzaffarpur
 3. Om Prakash Yadav S/o- Late Ram Udesb Rai Village- Chapra Mobarak Ps- Rampur hari Dist-Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Satish Chandra Jha S/o- Grish Chandra Jha Village- Baigara Ps- Aurai Dist- Muzaffarpur, P/A- Rahul Nagar Road No-2, Brahmpura Dist- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-05-2025 Heard Mr. Alok Kumar Alok, learned counsel for

the petitioners and Mr. Abhay Kumar Roy, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Complaint Case No. 1770 of 2024 for the
offences punishable under Sections 420 of Indian Penal Code.

3. According to prosecution case, the complainant
alleged that he paid Rs.5,00,000/- for the purchase of land to the
petitioners with assurance that amount will be adjusted at the
time of execution of sale deed. When the petitioner came to



know that the said piece of land has already been sold by the petitioners, he demanded his money back but the petitioners kept on deferring on one pretext or another whereafter a legal notice was sent but the petitioners failed to pay back on agreed terms.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. As per the allegation in the FIR petitioners have received Rs. 5,00,000/- from the complainant and not executed the sale deed in favour of the complainant.

5. Learned counsel for the petitioner on instructions submits that petitioners are ready to pay Rs. 5,00,000/- to the complainant and out of Rs. 5,00,000/- petitioners have already transferred Rs. 25,000/- in the account of the complainant alongwith reply of the legal notice.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

7. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 the learned ACJM 10th (East), Muzaffarpur in connection with Complaint Case No. 1770 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. At the time of furnishing bail bond, the petitioners shall produce a demand draft of Rs. 1,00,000/- (Rupees One Lakh) in favour of the complainant and learned court below is directed to handover the said demand draft to the complainant or his representative and rest amount of Rs. 3,75,000/-(Rupees Three Lakhs Seventy Five Thousand) shall be paid to the complainant within a period of six months starting from June, 2025. If the petitioners fails to deposit the rest amount of Rs. 3,75,000/-(Rupees Three Lakhs Seventy Five Thousand) to the complainant, the complainant shall be at liberty to move before the appropriate forum for cancellation of bail bond of the petitioners.

ii. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient



reason, their bail bond shall be cancelled by the Court below.

iii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iv. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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