

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59341 of 2024

Arising Out of PS. Case No.-257 Year-2023 Thana- JAMHOR District- Aurangabad

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1. Manoj Yadav @ Chunmun Kumar Son Of Ramji Yadav Resident Of Village - Kosdihara, Post - Padrawan, P.S. - Jamhor, District - Aurangabad
 2. Vishal Kumar Son Of Ramji Yadav Resident Of Village - Kosdihara, Post - Padrawan, P.S. - Jamhor, District - Aurangabad

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Binod Kumar Sharma S/O Late Bangali Sharma R/O- Vill- Paythu ,p.o P.S Jamhor Dist-Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 11-02-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 341, 323, 406, 420, 504, 120B/34 of the Indian Penal Code.

3. As per the prosecution case, one Ramji Yadav took money from the informant for executing sale deed of a particular plot in favour of the informant, but later on, said Ramji Yadav neither executed the sale deed nor did he return the money taken by the informant. Petitioners are sons of said Ramji Yadav.

4. It is submitted on behalf of the petitioners that there is no allegation against these petitioners. F.I.R. has been lodged after inordinate delay of more than two months without any explanation which renders the entire prosecution case doubtful. By filing supplementary affidavit, it is further



submitted that petitioners’s side has already executed a sale deed for the land in question to the informant through a registered sale deed dated 26.12.2022 (annexure 2) against payment of consideration money of Rs.6.60 lacs. Moreover, dispute is of civil nature and no criminal offence is attracted against these petitioners. Petitioners claim clean antecedent.

5. Learned counsel for the State opposes the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within eight weeks from today, let these petitioners, mentioned above, 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 Additional Chief Judicial Magistrate VII, Aurangabad in Jamhor Police Station Case No. 257 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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