

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.54738 of 2024

Arising Out of PS. Case No.-7510 Year-2022 Thana- PATNA COMPLAINT CASE District- Patna

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1. Saroj Devi Wife of Rajesh Kumar Village- Upharpura, P.S.- Phulwari Sharif, Dist.- Patna
 2. Rajesh Kumar Son of Ram Uday Ray Village- Upharpura, P.S.- Phulwari Sharif, Dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Aarti Singh Wife of Balwant Singh R/O Chotka Rajapur, P.s.- Simri, Dist.- Buxar, At Present resides at L.I.C. Colony, Kankarbagh, H.No.20, Behind Kendriya Vidyalaya, P.S.- Patrakar Nagar, Dist.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Advocate
For the State	:	Mr. Pranav Kumar, Advocate
For the O.P. NO. 2	:	Mr. Surendra Pd. Singh, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 16-06-2025 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the complainant.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 406 and 420 of the Indian Penal Code and Section 138 of the N.I. Act.

3. As per complaint, the complainant had given an amount of Rs. 25,61,000/- to Saroja Devi (petitioner no. 1) for registry of land, however, the land was not registered and the money had also not been returned.

4. Learned counsel for the petitioners



submits that a substantial amount has already been paid to the opposite party no.2. A supplementary affidavit has been filed on behalf of opposite party no.2 bringing on record Annexure-P/2 which shows that only an amount of Rs. 10,25,000/- (Rupees Ten Lakhs Twenty Five Thousand Only) remains outstanding against the petitioners. It has also been stated in the affidavit filed on behalf of opposite party no.2 that petitioners are ready to pay the remaining amount of Rs. 10,25,000/- in five equal installments within a period of six months.

5. In such view of the matter, I am inclined to grant the privilege of provisional bail to the petitioners upon making a payment of Rs.2,05,000/- (Rupees Two Lakhs Five Thousand Only) as a first installment, a receipt of which would be shown at the time of furnishing of the bail bonds. Thereafter, the rest of the amount would be paid in installments within a total period of 6 months from the date of furnishing of the bail bonds. It goes without saying that after the entire payment of the amount of Rs.10,25,000/- is made by the petitioners, the provisional bail granted to the petitioners would be confirmed by the learned court below.



6. Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on provisional bail on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Complaint Case No.7510C of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

7. The application stands disposed of.

(Soni Shrivastava, J)

Harsh/-

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