

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76644 of 2024**

Arising Out of PS. Case No.-94 Year-2023 Thana- KHUTAUNA District- Madhubani

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1. Mukesh Kumar Yadav @ Mukesh Yadav Son of Suryanarayan Yadav R/O Village- Jatahi PS- Khutauna Distt.- Madhubani
 2. Surya Narayan Yadav Son of Ganga Prasad Yadav R/O Village- Jatahi PS- Khutauna Distt.- Madhubani

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Mahadev Pr. Yadav s/o late Ram Narayan yadav R/o Jatani P.S.- Khutauna Dist- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Ratnakar Jha, Advocate
For the State	:	Mr.Raj Kishor Singh, APP
For the OP-2	:	NONE

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 03-07-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State. Despite valid service of notice, nobody appears on behalf of opposite party no. 2.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 406, 420, 34 of the Indian Penal Code.

3. As per prosecution case, despite taking consideration money in advance, the petitioners have neither executed the sale-deed in favour of opposite party no. 2 nor returned his money.

4. Learned counsel for the petitioners submits that the amount, which was taken as advance, has already been returned to opposite party no. 2. He further submits that with the



intervention of well-wishers, good sense prevailed between the parties and dispute has been settled and to this effect, a joint compromise petition has been filed in the Court below. Moreover, the dispute involved in the present petition is with regard to sale and purchase of property/land, which is purely of civil nature. Present case has been filed only with a view to settle civil dispute and claim. Petitioners have got clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the fact that dispute is purely of civil nature and petitioners have got clean antecedent, in the event of arrest/surrender before the Court below within a period of six weeks from today, let the above named petitioners 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 learned J.M. 1st Class, Jhanjharpur (Madhubani) in connection with Khutauna P.S. Case No. 94 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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