

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81533 of 2023

Arising Out of PS. Case No.-263 Year-2022 Thana- SABAUR District- Bhagalpur

1. Hira Devi W/O Late R/O Jawaripur, P.S. Tilkamanjhi, Dist.- Bhagalpur.
2. Archana Kumari D/O Vijay Kumar Singh @ Vinay Kumar Singh R/O Jawaripur, P.S. Tilkamanjhi, Dist.- Bhagalpur.
3. Khushboo Kumari D/O Vijay Kumar Singh @ Vinay Kumar Singh R/O Jawaripur, P.S. Tilkamanjhi, Dist.- Bhagalpur.

... .. Petitioners

Versus

1. The State of Bihar
2. Bambam Kumar Son of Sri Upendra Prasad Choudhary R/Vill.- Krishna Mandir Chouk Tatmatoli, P.S.- K. Hat, Dist.- Purnia

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rajive Ranjan Singh, Advocate
For the Opposite Party/s :	Ms/Mrs. Gulnar Begum, A.P.P.
	Mr. Kr. Rajdeep, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 09-09-2025 Heard learned counsel for the petitioners, the State and opposite party no.2.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 406, 419 and 420 of the Indian Penal Code.

3. As per the prosecution case, informant gave Rs. 41.70 as consideration money to the petitioners for executing sale deed in favour of the informant, but later on after receiving the amount petitioners neither executed sale deed nor did they return the money to the informant.

4. It is submitted on behalf of the petitioners that from bare perusal of the First Information Report, it is clear that the dispute is purely of civil nature and no criminal offence is attracted against the petitioners. Petitioners have filed supplementary affidavit. Petitioners have made averments that without admitting guilt and without prejudice to right and contention, petitioners are ready to deposit Rs. 41.70



lacs in six equal instalments (Rs. 6.95 lacs per instalment) in six months in the Nazarat of the concerned Civil Court, subject to outcome of the case.

5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur in Sabour Police Station Case No. 263 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on following conditions:-

(i) At the time of furnishing bail bond, first instalment of Rs. 6.95 lacs shall be deposited by the petitioners in the Nazarat of the Court below.

(ii) Rest five instalments of Rs. 6.95 lacs each shall be deposited by the petitioners in five equal installments within five months thereafter.

(iii) If the petitioners fail to comply with the aforesaid direction of this court, the court below shall be at liberty to cancel their bail bonds.

6. It is made clear that without going into the merit of the case, aforesaid order has been passed only for the purpose of grant of bail and this deposit would be subject to the final result of the criminal case.

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(Prabhat Kumar Singh, J)

