

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30413 of 2023**

Arising Out of PS. Case No.-512 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE  
District- Samastipur

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Dharmendra Sharma Son Of Late Ram Vilash Sharma Resident Of Village-  
Hasanpur Surat, P.S.-Patory, District-Samastipur, Presently Resident Of  
Village-Tumbayote, P.O. And P.S.-Matigara, District-Darjeeling, West Bengal  
... .. Petitioner/s

Versus

1. The State Of Bihar
  2. Shalu Sharma Wife Of Rahul Sharma Resident Of Village-Hasanpur Surat,  
P.S.-Patory, District-Samastipur
- ... .. Opposite Party/s

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**Appearance :**

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|----------------------------|----------------------------|
| For the Petitioner/s :     | Mr.Lakshmindra Kumar Yadav |
| For the Opposite Party/s : | Mr.Anil Kumar Singh No. 1  |
| For the complainant        | Mr. Abhay Kumar            |
|                            | Mr. Chandan Kr. Jha        |

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      11-09-2023                      Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 420 of the Indian Penal Code.

3. Allegation against the petitioner is that he took Rs. 3,81,000/- out of Rs. 5 lakh i.e. consideration money from the complainant and sold the land to another person.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that the case of the complainant is civil dispute. He submits that the petitioner has no criminal antecedent as mentioned in para-3 of the bail application.



5. However, petitioner is ready to refund Rs.3,81,000/- (Rupees Three Lakhs and Eight One Thousand) to the complainant and he will pay Rs.1,00,000/- (Rupees One Lakh) to the complainant at the time of furnishing his bail bond.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on **provisional bail for a period of eight months**, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Complaint Case No. 512 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Learned Court below is directed to accept the bail bond of the petitioner after satisfying that he has paid Rs.1,00,000/- (Rupees One Lakh) to the complainant and his provisional bail shall be confirmed by the learned Court below after payment of rest amount to the complainant.

(Anjani Kumar Sharan, J)

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