

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39564 of 2023

Arising Out of PS. Case No.-225 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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RADHAMOHAN SINGH S/O LATE MUNSHI SINGH R/O village.
Babhanaul, PS. Dawath, Dist. Rohtas

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. DINDYAL SINGH SON OF RAMESHWAR SINGH RESIDENT OF
VILLAGE- BABHANAUL, P.S.- DAWATH, DISTRICT- ROHTAS

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Sanjay Kumar, Adv.
For the Opposite Party/s :	Mr.Brajendra Nath Pandey, APP.
	Mr. Sanjeev Kumar, Adv.
	Ms. Priya Ranjan, Adv.
	Mr. Mukesh Kumar, Adv.
	Mr. Nitish Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-09-2023 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 323, 504 of the Indian Penal Code.

3. Allegedly, petitioner is said to have taken consideration money of Rs. 17.65 lacs to execute “Mahadnama” of the land of 104 decimals with a condition that if money is not returned till 13.04.2022, he would return the money and got the land registered. After sometime another “Mahadnama” was also prepared through notary. It is further alleged that after some days, when the complainant went to the petitioner to ask about



the same, petitioner refused to return the money and abused him.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. It is further submitted that petitioner is ready to return the alleged amount i.e. 17.65 Lacs to the complainant within six months. Petitioner has two criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the complainant oppose the prayer for bail.

6. Having regard to the facts and circumstances of the case and considering the arguments of the parties, the above named petitioner, be released on **provisional bail** for a period of six 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 Court below where the case is pending/successor Court in connection with Complaint Case



No. 225 of 2022, subject to the condition as laid down under
Section 438 (2) of the Cr.P.C.

7. After full and final payment of Rs. 17,65,000/- (Rupees
Seventeen Lakh Sixty Five Thousand) to the complainant by the
petitioner, the provisional bail of the petitioner will be
confirmed by the learned Court below.

(Anjani Kumar Sharan, J)

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