

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38068 of 2023**

Arising Out of PS. Case No.-199 Year-2023 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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AMRENDRA KUMAR SINGH @ AMRENDRA KU. SINGH @ AMAR
KUMAR SINGH @ BULANJI SON OF RAMANAD SINGH RESIDENT
OF VILLAGE AND POST- TELGHI, PS- KHARIK, DIST- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dwij Raj

For the Opposite Party/s : Mr. Kalyan Shankar

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

- 2 01-08-2023 1. Heard learned counsel for the petitioner and

learned A.P.P. for the State along with the learned counsel for

the informant, Mr. Hansraj.
2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Sections 406, 420

and 34 of the Indian Penal Code.
3. The informant alleges that he paid Rs. 9,94,000/-

for purchasing a land out of which Rs. 1,40,000/- was paid

through net-banking to Dezy Devi and the petitioner but the sale

deed could not be executed on account of certain infirmities.
4. Learned counsel for the petitioner submits that the

petitioner is a person with clean antecedent.
5. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the present case, it is next submitted that it is not in dispute that he received Rs. 1,40,000/- through net-banking but then the amount agreed by the informant for purchasing the land was Rs. 9,94,000/- but since the entire amount was not paid as such, the petitioner did not execute the sale deed, it is next submitted that the dispute is purely civil and in the event if the informant is aggrieved by the fact that the sale deed despite being ready was not executed for any reason, he has remedies available in law for redeeming the amount which he has paid. It is further submitted that since the entire amount was not paid as such an amount of Rs. 1,40,000/- which was paid by way of advance stands forfeited. It is also submitted that the dispute is purely civil to which a criminal colour has been given and the FIR has been instituted only in order to coerce the petitioner into submission so that he parts with the money or executes the sale deed when informant has remedies for seeking the relief before a Court of competent civil jurisdiction.

6. Learned A.P.P. for the State along with learned counsel for the informant opposes the prayer for anticipatory bail of the petitioner but are not in a position to rebut the submission of the learned counsel for the petitioner that if the



informant is aggrieved by the conduct of the petitioner then he has remedy of seeking relief by a Court of competent civil jurisdiction.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kotwali (Tilkamanjhi) P.S. Case No. 199 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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