

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45878 of 2023**

Arising Out of PS. Case No.-2647 Year-2019 Thana- KATIHAR COMPLAINT CASE  
District- Katihar

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1. RAM NANDAN SINGH S/o- KAMESHWAR PRASAD SINGH Village-  
Masumganj Ps- Bhagwan Bazar, Dist- Saran at Chapra
  2. RAM SHARAN SINGH S/o- KAMESHWAR PRASAD SINGH Village-  
Masumganj Ps- Bhagwan Bazar, Dist- Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina Pandey wife of Jitendra Kumar Pandey Railway Quarter no- 543A OT  
Para Po Ps- Katihar Dist- Katihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Ms.Sachina  
For the Opposite Party/s : Mr.Umanath Mishra

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

- 2      04-08-2023      1. Heard learned Counsel for the petitioners and learned  
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out  
of Complaint Case No. 2647 of 2019, in which  
cognizance has been taken under Sections  
406/420/504/34 of the Indian Penal Code.
3. The prosecution case, as per the complaint filed by the  
complainant Rina Pandey, is that she has given a sum of  
Rs. 30 lacs by way of three cheques in favour of co-  
accused Kameshwar Prasad Singh for the purpose of a  
piece of land and accordingly, the complainant entered



into an agreement for sale, but the subject land is not being transferred in favour of the complainant. It has been alleged that the petitioners, who are the sons of Kameshwar Prasad Singh, arrived at the house of the complainant and allured her for entering into an agreement for sale for the subject land.

4. Learned Counsel for the petitioner submits that from perusal of the complaint itself, it would be evident that the advance consideration amount was paid by the complainant through cheques in favour of co-accused Kameshwar Prasad Singh, who has been granted anticipatory bail by a co-ordinate Bench of this Court, vide order, dated 30.08.2022, passed in Criminal Misc. No. 7129 of 2022. He further submits that the complainant has also filed Money Suit No. 01 of 2023 and the dispute between the parties is civil in nature, for which a criminal case has been lodged.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that co-accused Kameshwar Prasad Singh, in whose favour advance consideration amount has been given by the complainant, has been granted anticipatory bail by this



Court, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in connection with Complaint Case No. 2647 of 2019.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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