

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51748 of 2023**

Arising Out of PS. Case No.-6743 Year-2022 Thana- PATNA COMPLAINT CASE District-  
Patna

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Ajay Kumar, S/O Late Shiv Narayan Prasad, R/O Khaprail Chak, P.S- Parsa  
Bazar, Distt.- Patna, Bihar-804453

... .. Petitioner

Versus

1. The State of Bihar.
2. Smt. Minu Sinha, W/O Late Rajiv Ranjan, R/O Mohalla- Jaganpura, Jagdish  
Chowk, Near Open Mind School, P.S- RamKrishn Nagar, Distt.- Patna.

... .. Opposite Parties

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**Appearance :**

|                    |   |                                 |
|--------------------|---|---------------------------------|
| For the Petitioner | : | Mr. Chiranjiva Ranjan, Advocate |
| For the State      | : | Mrs. Gulnar Begum, A.P.P.       |

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

4      13-12-2023              Learned counsel for the petitioner is permitted to  
  
remove the defect(s), as pointed out by the office, if any,  
  
within a period of three weeks from today.

2. Heard learned counsel for the petitioner and  
  
learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in  
  
connection with Complaint Case No. 6743 (C) of 2022  
  
registered for the offences punishable under Sections 406  
  
and 379 of the I.P.C.

4. As per the prosecution case, the complainant  
  
expressed readiness to purchase 12 Kathas of land from the



accused persons on a consideration money of Rs. 8,11,000/- per Katha and executed Baibeyana in her name and thereafter paid total Rs. 83,3000/- to the co-accused Pankaj Kumar and the other accused persons. Out of which, Rs. 42,000/- has also been transferred in the bank account of the petitioner. Subsequently, the accused person executed sale deed of 6.5 Katha of land to the complainant and assured to execute sale deed of rest 5.5 Katha of land in sometime. However, it is alleged that the accused persons neither executed sale deed of the rest 5.5 Katha in favour of the complainant nor did they return the money.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the opposite party no. 2 has paid Rs. 83,3,000/- to the co-accused Pankaj Kumar who made agreement to sale with one Soni Gupta and the co-accused Pankaj Kumar has given receipt on page nos. 2 and 3 of the agreement made with the complainant. The petitioner has no concern with the alleged occurrence. It is a civil dispute. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.



6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Patna, in connection with Complaint Case No. 6743 (C) of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

**(Chandra Prakash Singh, J)**

U.K./-

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