

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50758 of 2023

Arising Out of PS. Case No.-30 Year-2019 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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BRAJESH KUMAR DHANDHANIA son of Late Mahesh Prasad R/o-
Dhandhanian Niwas Bhudarmal Lane Sonpatti Sujaganj Ps- Kotwali Dist-
Bhagalpur at present at- 12D Amarjyoti 10 Belvedere Road Near Bhabani
Bhaban Alipore Ps- Alipore Kolkata W.B

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Harsh Vardhan, Adv.
For the Opposite Party/s :	Mr.Dilip Kumar No.1, APP.
	Mr. Praveen Kumar, Adv.
	Mr. Y.C. Verma, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-09-2023 Heard the parties.

2. Learned counsel for the complainant has filed a counter
affidavit in the Court.

3. Let it be kept on record.

4. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 420 & 406 of the
Indian Penal Code.

5. Allegedly, the petitioner is said to have fraudulently
executed the sale agreement with the complainant for the land in
question to usurp the amount of Rs. 46,60,000/-

6. 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 not specific rather general and omnibus in nature. The real fact is that petitioner being ignorant of any earlier sale deed executed by his grandfather for the same piece of land in favour of Shree Hanuman Sugar @ Industries Ltd., in the year 1962, entered into a sale agreement with the complainant, but when he came to know about the same, he apologized the complainant and promised to return the entire amount taken as advance and the petitioner returned the advance amount to the complainant on 10.10.2017, which is also evident for Annexure-6 of this petition. It is further submitted that the complainant filed a money suit against the petitioner vide Money Suit No. 03 of 2019. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

7. Learned APP for the State as well as learned counsel for the complainant oppose the prayer for bail. Learned counsel for the complainant prays for referring the present case to the Mediation Centre.

8. Having regard to the facts and circumstances of the case, as there is civil dispute between the parties and money suit



has already been filed by the complainant, let the above named petitioner, be released on bail, 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. 30 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

9. Petitioner is directed to co-operate in the trial.

(Anjani Kumar Sharan, J)

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