

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49726 of 2022

Arising Out of PS. Case No.-254 Year-2020 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Babloo Singh, S/o Late Ramotar Singh, R/o village- Khamar, P.S.- Muffasil,
District- Begusarai. Petitioner

Versus

1. The State of Bihar
2. Manoj Kumar, Son of Late Aajo Sah, R/o Village- Hardia P.S.- Muffasil,
District- Begusarai. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Braj Bhushan Poddar, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP
For the Complainant : Mr. Shubhesh Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 15-05-2023 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned APP for the State.

Petitioner in the present case is seeking anticipatory
bail in connection with Begusarai Complaint Case No. 254C of
2020 registered for the offence punishable under Sections 504,
506, 406, 420 of the Indian Penal Code. He has one criminal
antecedent.

As per the prosecution story, the complainant has
alleged that on 10.09.2017 at about 12:00 P.M., the petitioner
came to his house and proposed to purchase a plot of land from
Sanjeev Singh in Hardia Mauza worth Rs.6,00,000/-. On
12.09.2017, the complainant gave advance Rs.2,00,000/- to the
petitioner and one agreement paper was prepared regarding the
same. Thereafter, the petitioner continuously used to make



excuses in the name of registry of land. On 05.01.2020, when the complainant reached the petitioner's house, the petitioner abused him and said that the landlord is not ready to sale his land. On 06.02.2020, the complainant again went to the house of the petitioner to ask him to return the advance money then the petitioner threatened him to kill. Thereafter, the present complaint petition was lodged vide Complaint Case no. 254C of 2020 dated 07.02.2020.

Learned counsel for the petitioner submits that the petitioner is quite innocent and has been falsely implicated in this case. It is his submission that the petitioner had put his signature as a witness on an agreement paper relating to sale of land and he had been involved in dealing of the land which was to be purchased from one Sanjeev Kumar.

Mr. Uday Pratap Singh, learned APP for the State and learned counsel for the complainant have opposed the prayer for anticipatory bail of the petitioner.

Learned counsel for the complainant has submitted that it was the petitioner who had received Rs.2,00,000/- from the complainant though the land was to be purchased from one Sanjeev Kumar.

Having regard to the nature of the allegations in which it is stated that this petitioner had put his signature as a witness on



an agreement paper relating to sale of land and he had been involved in dealing of the land which was to be purchased from one Sanjeev Kumar, this Court directs release of the petitioner above-named on bail in the event of his arrest or surrender within a period of four weeks from today in connection with Begusarai Complaint Case No. 254C of 2020 on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- Ist, Begusarai, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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