

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54127 of 2023

Arising Out of PS. Case No.-105 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

Sunil Kumar Mishra S/O Ram Bilas Mishra R/O Vill- Ghusiyan Kala, P.S-
Bikramganj, Distt.- Rohtas.

... .. Petitioner

Versus

1. The State Of Bihar
2. Anju Devi W/O Kedar Sah R/O Vill And P.O- Ghosiyan Kala, P.S-
Bikramganj, Distt.- Rohtas.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey, Advocate
For the Opposite Party/s : Mr.Nitya Nand Tiwary, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 21-08-2023 Heard learned counsel for the petitioner and the State.
2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 323, 406, 420 & 504 of the Indian Penal Code.
3. As per the prosecution case, petitioner did not execute the sale deed in favour of the complainant even after receiving consideration money.
4. Learned counsel appearing for the petitioner denies the allegation and submits that there is no proof of financial transaction between the parties. Only bald statement has been made against the petitioner and at best, it is a case of breach of agreement and no offence of criminal breach of trust is made out against the petitioner. Moreover, dispute is of civil nature and complainant has filed Title Suit No.283 of 2022 against the petitioner. Petitioner claims clean antecedent.
5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of



arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Bikramganj, Rohtas in Complaint Case No. 105/2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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