

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57748 of 2023

Arising Out of PS. Case No.-1094 Year-2017 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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SANJEEV PRAKASH @ PAPPU SINGH son of Late Ramprakash Singh
Mohalla- Baluahi Ward no-24, Ps- Dist- Khagaria

... .. Petitioner

Versus

1. The State of Bihar
2. Sudhir Kumar Chaudhary son of Sri Rameshwar Chaudhary R/o- Village-
Rahimpur Sonvarsha Ps- Muffasil Dist- Khagaria Presently R/o- Hajipur
Patelnagar Ward no-20, Ps Dist- Khagaria

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-09-2023 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, 448 and 327 of
the Indian Penal Code.

3. As per the prosecution case, by luring the
complainant, petitioner made him business partner and took 16
katha land from the complainant for doing business of petrol
pump with assurance of payment of annual rent of Rs.90,000/-.
However, petitioner never paid the rent and thus cheated the
complainant.

4. Learned counsel appearing for the petitioner
submits that for the land in question there was lease agreement
between the parties for running petrol pump. Later on,



complainant and his wife agreed to sell the land and also received consideration amount of Rs.25.5 lacs but did not turn up for execution of sale deed. He further submits that the dispute is out and out a civil dispute for which Title Suit Nos. 20/2020, 106/2018 & 87/2017 are pending in the Court below.

5. Considering the nature of dispute, 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 Judicial Magistrate 1st class, Khagaria in Complaint Case No. 1094C/2017, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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