

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61713 of 2022

Arising Out of PS. Case No.-244 Year-2018 Thana- COMPLAINT CASE District- Banka

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SANJAY SINGH S/O LATE BIRENDRA SINGH Resident of village-
Fatehpur, P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. PAPPU PODDAR S/O LATE BHAGWAN PODDAR Resident of Noorganj
Fatehpur, P.S.- Amarpur, District- Banka

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar
For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 24-06-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State, Mr. Binod Kumar No. 3 along with learned

counsel for the informant.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406, 323,
504, 506 of the Indian Penal Code.

From bare perusal of the allegations as alleged in the
FIR, it would manifest that the dispute is purely civil and at the
same time is being disputed by the learned counsel for the
petitioner that he never entered into any agreement with the
informant with respect to sale of land in lieu of which any
amount is taken. It is next submitted that even *Annexure 2* is a



document which the petitioner disputes. It is further submitted that from content of *Annexure 2*, it would manifest that the same records that the petitioner has taken a loan of Rs. 4 lacs from the informant for some urgent work and not for selling the land. It is next submitted that *Annexure 2* was never signed by the petitioner and it is a forged and fabricated document. It is next submitted that there is no agreement for sale with respect to the land in question even. It is thus submitted that a purely civil dispute is being portrayed as a criminal offence only with a view to coerce the petitioner into submission for parting with an offence.

Learned A.P.P. for the State along with the learned counsel for the informant opposes the prayer for anticipatory bail of the petitioner but are not in a position to rebut the submission of the learned counsel for the petitioner that no agreement for sale was entered in between the petitioner and the informant and it is not the case of the informant that he had given any money to the petitioner in his account.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned trial court where the case
is pending/successor court in connection with Complaint Case
P.S. Case No. 244 of 2018 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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