

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.235 of 2023

Arising Out of PS. Case No.-13 Year-2018 Thana- GAYA MUFASIL District- Gaya

CHANDRA SHEKHAR SINGH @ CHANDRASHEKHAR Son of Shankar
Singh Resident of village - Naukhap. P.S.- Wazirganj and District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Manish Kumar No. 2, Advocate
For the Opposite Party/s :	Mr. Parmanand Kumar, APP
For the Informant :	Mrs. Alka Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 24-07-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State along with learned counsel for the informant.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 406, 420 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that petitioner along with Sarvesh who were known to the informant came to his house and requested him to purchase the land in question for an amount of Rs. 25,50,000/- and accordingly an agreement was executed in between the informant and the petitioner on which Sarvesh was a witness. It is next alleged that after paying an amount of Rs. 19,00,000/-



the accused evaded the registry, it is next alleged that the informant even constructed boundary wall over the land after investing Rs. 2 Lakhs.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that it is not in dispute that petitioner and the informant are known to each other, it is next submitted that petitioner had entered into an agreement with Smt. Jyoti Singh for selling his land for consideration, thereafter the informant based on the said agreement of the petitioner with Jyoti Singh entered into an agreement for purchasing the land of Jyoti Singh from the informant. It is further submitted that petitioner received an amount of Rs. 19 Lakhs and out of which 13 Lakhs and odd was credited in the account of Jyoti Singh, but later Jyoti Singh resiled, accordingly, petitioner filed a Title Suit No. 67 of 2015 in which informant is an intervenor. Learned counsel next submits that whatever transpired in between the petitioner and the informant was based on a written agreement and the petitioner has already filed a title suit against Jyoti Singh for breaching the terms of the agreement entered with him in which informant is an intervenor. It is further submitted that dispute is purely civil, but the informant has given a criminal colour to the



case.

5. Learned A.P.P. for the State along with learned counsel for the informant opposes the prayer for anticipatory bail of the petitioner, but are not in a position to rebut the submissions of the learned counsel for the petitioner that a title suit has been filed in which informant is an intervenor.

6. 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 Moffasil P.S. Case No. 13 of 2018 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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