

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16020 of 2024

Arising Out of PS. Case No.-1277 Year-2022 Thana- ROHTAS COMPLAINT CASE
District- Rohtas

Rampyari Devi @ Ram Peyaree Dev Wife Of Late Kamlesh Singh @ Late
Bhola Singh Resident Of Village - Mor Sarai, P.S. - Shivsagar, District -
Kaimur At Bhabua At Present Resident Of Village - Dulahi, P.S. - Chand,
District - Kaimur At Bhabua

... .. Petitioner

Versus

1. The State Of Bihar
2. Sanjay Kumar Singh Son Of Late Rup Narayan Nsingh Resident Of Village
- Ruppur, P.O. - Rophatha, P.S. - Nokha, District - Rohtas At Sasaram, At
Present Reside At Mohalla New Area, P.S. - Sasaram (N), District - Rohtas
At Sasaram Mo. 9939708778

... .. Opposite Parties

Appearance :

For the Petitioner/s :	Mr.Tribhuwan Narayan, Advocate
For the Opposite Party/s :	Mr.Ram Naresh Ray, Addl Public Prosecutor
	Mrs. Meena Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner, the State and
the opposite party no.2.

2. The petitioner apprehends arrest in a case registered
for the offence punishable under sections 420, 323, 341,/34 of
the Indian Penal Code.

3. As per the prosecution case, despite taking
consideration money petitioner refused to execute sale deed in
favour of the complainant.

4. It is submitted on behalf of the petitioner that the
instant complainant has been lodged on forged documents.
Dispute is predominantly of civil nature At best, it is a case of
breach of agreement which cannot give rise to a criminal
prosecution for cheating, unless fraudulent and dishonest
intention is shown at the beginning of the transaction. Petitioner



claims clean antecedent.

5. Learned counsel for the State as well as opposite party no.2 oppose the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Rohtas at Sasaram in Complaint Case No. 1277 of 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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