

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15313 of 2024

Arising Out of PS. Case No.-904 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Ram Pukar Rai Son Of Lalan Rai Resident Of Village- Hanumanganj, Ps-
Shahpur, Distt- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Bachan Rai @ Bachchan Rai Son Of Late Lal Bahadur Rai Resident Of
Village- Hanumanganj, Ps- Shahpur, Distt- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Arun Kumar, Advocate
For the Opposite Party/s :	Mr. Ganesh Prasad Singh, A.P.P. Mr. Satish Chandra, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 02-05-2024 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 406, 420 of the Indian
Penal Code.

3. Prosecution case, in brief, is that this petitioner
entered into an agreement with the O.P. No. 2 for sale of land
and received advance money of Rs. 35 lacs in cash but
thereafter refused to execute the sale deed.

4. Learned counsel for the petitioner submits that
there was no agreement between the parties and petitioner has
never received any money from the O.P. No. 2. There is no chit
of paper in support of the allegation. He next submits that the



dispute is purely of civil nature. There is no allegation of any fraudulent or dishonest intention from the beginning of the transaction and as such, no criminal offence is made out. Petitioner claims clean antecedent.

5. Learned counsel for the O.P. No. 2 vehemently opposed the bail application

6. Considering the civil nature of dispute and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, 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 Judicial Magistrate, 1st Class, Danapur in connection with Complaint Case No. 904 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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