

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.18560 of 2024**

Arising Out of PS. Case No.-1474 Year-2022 Thana- BHAGALPUR COMPLAINT CASE  
District- Bhagalpur

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Santosh Kumar Singh S/o Late Pratap Singh R/o Vill - Bhagwa Tola, P.S. -  
Pirpainti, Dist. - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jitendra Kumar Singh S/o Late Shiv Kumar Singh R/o Vill - Pargharhi, P.O.  
and P.S. - Sabour, Dist. - Bhagalpur

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Kamala Kant Tiwary

For the Opposite Party/s : Mr. Nirmala Kumari

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**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**

ORAL ORDER

2      15-04-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with  
Complaint Case No. 1474 of 2022, instituted for the offence  
punishable under Sections 323, 341, 420, 467, 468, 504, 506, 34  
of the Indian Penal Code.

3. The prosecution story, in short, is that petitioner  
along with other persons have sold a land in favour of accused  
persons. The petitioner's father and grandfather have similar  
name as that of complainant's cousin grandfather, Title suit  
against petitioner and vendor is pending. One Satendra Kumar  
Singh has also filed a case before Gram Kacahari Palghari,



where it was found that the claim of the purchasers is correct and they found their possession over the land.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner along with accused nos. 2 and 3 has executed the sale deed dated 07.02.2022 in favour of accused nos. 4, 5, 6 and 7. It is further submitted that after execution of the sale deed and registration of the same, the name of the vendee has been mutated in the revenue records. It is submitted that the said land has been mentioned in the survey khatiyani in the name of Bhup Narayan Singh (grandfather of the petitioner) and after the death of grandfather and the father of the petitioner, the same land allotted in the share of the petitioner through family partition and the petitioner rightly sold the land to the purchaser. It is also submitted that the complainant (opposite party no. 2) has also filed Title Suit No. 375 of 2022 against the petitioner and others. It is submitted that civil litigation is already been pending before the competent Civil Court, Bhagalpur, as Title Suit No. 375 of 2004/ 07 of 2022 between the petitioner and other accused persons. The nature of allegation is purely civil in nature. Lastly, it has been submitted that the petitioner has no criminal antecedents.



5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Complaint Case No. 1474 of 2022, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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