

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22801 of 2024**

Arising Out of PS. Case No.-18 Year-2023 Thana- NADI P.S. District- Patna

1. Pankaj Kumar, aged about 35 years, Male,  
2. Pawan Kumar @ Pranav Kumar @ Pavan Kumar, aged about 38 years,  
Male, both sons of late Jai Ram Prasad, both residents of Rikabganj, Police  
Station- Malsalami, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

|                          |   |                               |
|--------------------------|---|-------------------------------|
| For the Petitioner/s     | : | Mr. Raj Krishna Jha, Advocate |
| For the Opposite Party/s | : | Mr. Sanjay Kumar Singh, APP   |
| For the Informant        | : | Mr. S.K.Lal, Advocate         |

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

**ORAL ORDER**

2      29-04-2024                      Heard learned counsel for the petitioners, learned  
counsel for the informant and learned APP for the State.

2. The petitioners are apprehending their arrest in a  
case registered for the offence punishable under Sections 341,  
323, 379, 406 and 420/34 of the Indian Penal Code.

3. As per allegation in the Complaint petition, it is a  
case of assault upon complainant for cheating with regards to  
sale of land amounting to Rs.13,50,000/- by the accused  
persons.

4. Learned counsel for the petitioners submits that the  
petitioners have falsely been implicated in this case. He next  
submits that after perusal of the entire complaint petition, it is  
apparently clear that without complying the provision under  
Section 154(1) Cr.P.C. and 154(3) of the Cr.P.C., the present



complaint petition has been filed and it is also not supported by an affidavit and the averment of complaint petition clearly indicates that it has also not been mentioned with regard to provisions as mentioned above and without complying the provision it was sent to P.S. concerned under Section 156(3) of the Cr.P.C. which is in violation of law as stated in para-8 of the petition and both parties have compromised the case before the trial court. Petitioners have got clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioners.

6. Under the aforesaid facts and circumstances, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Smt. Pragya Aishwarya, Judicial Magistrate, Ist Class, Patna/concerned Court in connection with Nadi P.S. Case No. 18 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Ramesh Chand Malviya, J)**

Brajesh Kumar/-

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