

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29563 of 2024

Arising Out of PS. Case No.-1061 Year-2022 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Rahul Kumar Singh @ Rahul Kumar SON OF Late Sanjay Singh @
Awadhesh Kumar Resident Of Village- Nayipokhar, Ps- Rajgir, Dist- Nalanda
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Samir Kumar Sinha
For the Opposite Party/s : Mr.Pramod Kumar Pandey,APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-07-2024 Heard learned counsel for the petitioner and Sri
Pramod Kumar Pandey, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a complaint case punishable for the offence under Section 420 of the Indian Penal Code.

3. It is alleged that despite receiving the consideration money, the petitioner refused to execute the sale-deed in favour of the complainant and also failed to refund the amount.

4. Learned counsel for the petitioner submits that the dispute involved in the complaint case is of a civil in nature and no criminal offence is made out against this petitioner. At best, on the basis of allegation, it would amount to civil liability inter-se the parties and no criminal liability can be attributed to this petitioner. It is out-and-out a civil dispute, for which, complainant has got some other remedies. Petitioner claims clean antecedent.



5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of six weeks from today, let the above named petitioner 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 learned J.M. 1st Class, Nalanda at Bihar Sharif in connection with Complaint Case No. 1061-C 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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