

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30632 of 2024

Arising Out of PS. Case No.-59 Year-2021 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Satya Narayan Sharma Son of Late Mahangu Sharma Resident of Village-
Jayantipur , PS Nauhatta , Dist. Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Kundan Ram Son of Bipat Ram @ Dipak Ram Resident of Village-
Jayantipur, PS Nauhatta , Dist. Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh

For the Opposite Party/s : Mr.Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in

Complaint Case No. 59/2021 registered for the offences

punishable under Sections 323, 420 and 504 of the Indian Penal

Code.

3. As per prosecution case, there is allegation

against the petitioner that he had taken Rs.1,50,000/- (one lakh

fifty thousand) in lieu of land and it is alleged that the petitioner

refused to return the same and attacked on the complainant. It is

further alleged that the petitioner snatched golden chain worth

Rs.40,000/- and the reason behind the occurrence is that the



complainant had given Rs.1,50,000/- cash to the petitioner for which the petitioner had executed an Ekararnama for receiving the money on the revenue stamp paper.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in complaint petition and he has falsely been implicated in this case. The petitioner bears no criminal antecedent. He further submits that complaint has been lodged under Sections 323, 420 and 504 of the Indian Penal Code and cognizance has been taken by the trial court in the aforesaid sections. He further submits that the petitioner had denied that he took Rs.1,50,000/- (one lakh fifty thousand) from the complainant and he also denied that any agreement was executed for the same. Basically, no offence is made in the aforesaid Sections and it is purely a case of civil nature. He further submits that the complaint case is utilized as a weapon to score on the other party. He further submits that even the petitioner has to avail the opportunity by seeking remedy at the appropriate forum.

5. The learned counsel for the complainant as well as learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submitted that the petitioner has executed the Ekararnama and received the money,



neither he returned the money nor did he execute the sale deed in the name of complainant.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Dehri, District-Rohtas in connection with Complaint Case No. 59/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

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