

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38910 of 2024

Arising Out of PS. Case No.-119 Year-2016 Thana- PATNA COMPLAINT CASE District-
Patna

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Panchanand Saw @ Pancha Saw Son of late Ram Prasad Saw R/O Manpur,
Bariya, P.S.- Gaurichak, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ritesh Abhishek, Advocate
		Mr. Parijat Saurav, Advocate
For the Opposite Party/s :		Ms. Meena Singh, APP
For the Op No. 2	:	Mr. Praveen Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-05-2024 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State and learned counsel
for Opposite Party No. 2 who appeared in this case suo motu
and filed vakalatnama.

2. The petitioner seeks regular bail in connection with
Complaint Case No. 119 of 2016, lodged on 11.02.2016,
pending in the Court of Additional Chief Judicial Magistrate,
Patna City, in which cognizance has been taken under Sections
341/323/506/420 of the Indian Penal Code on 21.12.2016.

3. As per the complaint, the allegation has been made
that the petitioner has entered into an agreement for sale with
Opposite Party No. 2 and took advance of rupees three lakhs,
but neither returned the money nor executed the sale deed in



favour of Opposite Party No. 2.

4. Learned counsel for the petitioner submits that the basis of the case, i.e., the agreement itself, is false and fabricated. He denied the signature on the said agreement. Counsel submits that antecedent of the petitioner is clean. He is in custody since 07.02.2024.

5. Learned counsel for the Opposite Party No.2 vehemently opposes the prayer for bail and submits that the petitioner on the one hand has taken rupees three lakhs advance for land but neither returned the money nor ready to execute the sale deed in favour of Opposite Party No. 2. Counsel submits that Opposite Party No. 2 is innocent and therefore he has made allegation only for the amount which he has paid to the petitioner. Agreement is in support of him which is attached with the complaint case.

6. Learned counsel for the State submits that the truth can be identified only when the report from handwriting expert shall come.

7. In this view of the matter, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is refused. However, liberty is granted to the petitioner that he shall file an application before the trial Court



for taking report from the handwriting expert so that the comparison between the signatures present on the agreement and the signature of the accused shall be compared by the expert at the cost of the petitioner within two months from the date of filing request from the petitioner before the trial Court.

(Dr. Anshuman, J)

Mkr./Ankit

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