

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35743 of 2024

Arising Out of PS. Case No.-72 Year-2021 Thana- NAGAR District- Vaishali

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Anil Kumar Son of Shiv Kumar Sharma Resident of village - Tangaul, P.S.-
Hajipur Town, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Shivjee Singh
For the Opposite Party/s :	Mr.Mukesh Kumar Singh
	Mr.Manish Chandra Gandhi

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-07-2024 Heard learned counsel for the parties.

2. The petitioner seeks bail in a case registered for
offence under Sections 406, 420/34 of the Indian Penal Code.

3. Allegation against this petitioner is that he made an
agreement with the informant to execute a sale-deed of 9 (nine)
dhurs land at the cost of Rs. 34,80,000/-, however; after
receiving the whole consideration money, neither the petitioner
executed the sale-deed nor returned the consideration money to
the informant

4. Learned counsel for the petitioner submits that
dispute involved in the present case is of civil nature and none
of the acts allegedly committed by the petitioner give rise to any
criminal liability. It is out-and-out a civil dispute, for which,



informant has got some other remedy. Petitioner has got clean antecedent and is in custody since 27.10.2023.

5. Learned counsel for the informant vehemently opposes the bail petition and submits that there is specific allegation against this petitioner that despite taking consideration money he did not execute the sale-deed in favour of the informant.

6. Considering the fact that dispute is purely of a civil nature and petitioner is in custody since 27.10.2023, the prayer for bail of petitioner is allowed.

7. Let the above named petitioner be released 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 72 of 2021.

(Prabhat Kumar Singh, J)

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