

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40832 of 2024

Arising Out of PS. Case No.-965 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

Puttu Kumar SON OF Vidyanand Prasad VILLAGE- NASIRCHAK, PO-
KHAGAUL, PS- DANAPUR, DIST- PATNA

... .. Petitioner/s

Versus

1. The State of Bihar
2. BIBI SALAHA KHATOON WIFE OF MURTAZA ANSARI VILLAGE-
NASIRCHAK, PO- KHAGAUL, PS- DANAPUR, DIST- PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhunath Pathak, Advocate
For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 02-09-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 120B, 420, 468, 384 and 34 of the IPC in connection
with Complain Case No.965(C) of 2022.

3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the complainant
alleges that she requested the petitioner to return the original
copy of the agreement executed in between them for sale of land
of the complainant as detailed in the complaint, wherein the cost
of the land was fixed at Rs.10 lakhs per kattha against which an
amount of seventeen lakhs by way of advance was taken by the



complainant from the petitioner, it is further alleged that since the said advance amount of seventeen lakhs was returned by the complainant through RTGS in the account of the petitioner on 27.07.2022, as such on 28.07.2022 all the accused persons came and caught the son of the complainant Md. Nasim and made entry on the backside of the agreement for receiving an amount of rupees one crore twenty lakhs on different dates as detailed in the complaint.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the dispute is purely civil to which a criminal colour has been given. It is next submitted that criminal case has been instituted in order to coerce the petitioner into submission so that the complainant is not compelled to sale her land in favour of the petitioner. It is further submitted that if complainant is disputing the fact that she has not received an amount of rupees one crore twenty lakhs as recorded on the backside of the agreement in that event, she can always take a plea that since the amount was never received as such she is not bound to sell her land in favour of the petitioner in a duly constituted civil procedeeding.



5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Danapur, Patna in connection with Complain Case No.965(C) of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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