

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41469 of 2024

Arising Out of PS. Case No.-6985 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Anand Mohan Singh S/O Lalit Mohan Singh 3/9, Near Electricity Office, Childrens Park, Sri Krishnapuri, P.S.- S.K. Puri, Dist- Patna Present Address - House No. 12, Flat No. 2, Ashray Apartment, New Punaichak, Near Basawan Park, P.S.- S.K. Puri, Patna Permanent Address- R/O Village And P.O.- Chhaiattar, P.S.- Maner, District- Patna, Pin Code-801108.
 2. Pradeep Kumar S/O Late Lal Babu Rai 3/9, Near Electricity Office, Children's Park, Sri Krishnapuri, P.S.- S.K. Puri, Dist- Patna At Present - Mahuabagh, P.S.- Rupaspur, Dist- Patna, Bihar
 3. Reetu Raj Madhukar S/O Chandra Mohan Lal 3/9, Near Electricity Office, Children's Park, Sri Krishnapuri, P.S.- S.K. Puri, Dist- Patna At Present - House No. 12, Flat No. 2, Ashray Apartment, New Punaichak, Near Basawan Park, Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shambhu Kumar S/O LATE JAGGU KUMAR @ JAGGU THAKUR R/O- 101, Dhanaut Primary School, Dhanaut P.S.- Rupaspur, DIST- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshuman Singh, Adv. Ms. Kanchan Jha, Adv.
For the Opposite Party/s :		Mr. Uday Chand Prasad, APP Dr. Mallika Nawal, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 26-09-2024 Heard learned counsel for the petitioners, learned

A.P.P. for the State and learned counsel for the opposite party

No. 2.

2. The petitioners apprehend their arrest in connection

with Complaint Case No. 6985 of 2022 registered under

Sections 420, 467, 468, 471 and 120-B of the Indian Penal



Code.

3. As per complaint case, complainant/opposite party No.2 along with his mother and brother entered into an agreement to develop his 6 *Katha* land situated at Mauza Dhanaut appertaining to Khata No.415, Plot No.2395 (18.75 decimal). It is alleged that due to dispute arose between the complainant and the accused persons, complainant requested for revocation of the agreement. It is alleged that despite getting request for revocation, the accused persons applied for registration of a project for plots of land measuring 1093.04 square meter including the land of the complainant and got it registered in the name of Aradhna Enclave (Aradhna Homes). It is further alleged that the accused persons got the map sanctioned from Patna Municipal Corporation (P.M.C.) putting forged signature of complainant and other in connivance of Deputy Director, P.M.C and also got approval from RERA.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners after entering into development agreement with the complainant and four others acted to perform their part of agreement in accordance with the terms of agreement. It is further submitted that petitioners got map sanctioned from P.M.C and RERA and the same was duly



signed by all concerned including the complainant. The complainant and his family members were given a sum of Rs.15 lakhs in cash against the said agreement. Moreover, the dispute involved in this complaint case is purely civil in nature. Petitioners no. 1 and 3 have got clean antecedent. Petitioner no. 2 has got one criminal antecedent, in which he is on bail.

5. Learned A.P.P. for the State and learned counsel for the opposite party No. 2 vehemently opposed the bail application.

6. Having considered the aforesaid facts and circumstances of the case as well as the nature of dispute, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, on furnishing bail-bonds of Rs. 10,000 (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate-I, Patna in connection with Complaint Case No. 6985 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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