

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59109 of 2024

Arising Out of PS. Case No.-922 Year-2023 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Gyan Chand Singh @ Gyanchand Pd. Singh @ Gyan Chandra Singh S/O Late
Lal Bahadur Singh R/O Village- Takiya, P.O.- Bazar Samittee, P.S -Sasaram,
Distt- Rohtas (Sasaram)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Kumar Singh S/O Late Roop Narayan Singh R/O Village- Rupipur,
P.O- Ropahatha, P.S- Nokha, Distt.- Rohtas (Sasaram).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dineshwar Tiwary, Advocate
For the Opposite Party/s : Ms. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 01-10-2024 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered

for the offence punishable under section 420 of the Indian Penal

Code.

3. The prosecution case in short is that, the

complainant Sanjay Kumar Singh filed a complaint case bearing

Complaint Case No.922/2023 alleging therein that the

complainant and witness No.1 (Petitioner) jointly made a deed

of Agreement dated 02.12.2016 for sell. The accused No.1 and 2

are sons of Late Lal Bahadur. It is further alleged that on

02.12.2016 complainant and father of petitioner Late Lal



Bahadur Singh jointly executed a deed of Agreement for Mauja Takiya, P.S. and Anchal- Sasaram, Khata No.236, Plot No. 12, total area 16 decimal of land at the rate of Rs.72,00,000/- (Rupees Seventy Two Lacs). It is further alleged that complainant gave cheque and RTGS, total Rs.52,17,000/- (Fifty two Lacs and seventeen thousand Rupees) to the accused No.1 & 2. It is further alleged that complainant told to accused No.1 & 2 to get the land registered at the registration office at Sasaram and take the rest due amount. It is further alleged that accused No.1 and 2 have sold the aforesaid land to the accused No.3 without giving information or notice to the informant.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in connection with the present case with *malafide* intention to grab the land of the petitioner. From bare perusal of the complaint petition (Annexure-P/1, it appears that no agreement has been made between the petitioner and the complainant rather the same has been made between the father of the petitioner and the complainant in which the petitioner is only a witness. It is further submitted that it is out and out a case of civil nature and the petitioner has no criminal antecedent.

5. Considering the aforesaid facts and



circumstances of the case, in the event of arrest or surrender within six weeks from today, let this petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas, Sasaram in connection with Complaint Case No. 922 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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