

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64273 of 2024**

Arising Out of PS. Case No.-384 Year-2023 Thana- DIGHA District- Patna

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Pramod Kumar Sinha S/O Devendra Kumar Sinha R/O Moh.- Surbhi Vihar,
Bhupatipur, P.S- Beur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Binode Bariar, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 27-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with
Digha P. S. Case No. 384 of 2023 registered under Sections 406
and 420/34 of the Indian Penal Code.

3. As per prosecution case, on 01.11.2018, informant
entered into an agreement with the petitioner and other co-
accused persons in respect of 6 *Khatha* Land bearing Mauza-
Digha, Thana No. 1, Tauzi No. 5339, Khata No. 1636, Plot No.
954 which was in the name of Rakesh Sinha and Rohit Sinha. It
is further alleged that informant gave Rs. 6,00,000/- by cheque
and Rs. 7,00,000/- in cash to the petitioner and other co-accused
persons. Despite taking consideration money, the accused



persons refused to execute the sale deed and refused to return the same.

4. Learned counsel appearing on behalf of the petitioner submits that the dispute involved in this case is with regard to sale and purchase of land which is predominantly civil in nature. No acts, as mentioned in the F.I.R., allegedly committed by the petitioner, give rise to any criminal liability. It is further submitted that informant has already filed a case bearing Title Suit No. 97/21 under the Specific Performance of Contract Act, which is pending before the Court below. Similarly situated co-accused person has already been granted bail by this Court *vide* order dated 15.07.2024 passed in Cr. Misc. No. 40826 of 2024.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case, nature of dispute and similarly situated co-accused has already been granted bail, let the above named petitioner 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 bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Patna in



connection with Digha P. S. Case No. 384 of 2023, subject to
the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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