

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57428 of 2023

Arising Out of PS. Case No.-15234 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Akash Kumar S/O Mahendra Singh Resident Of Village Sonagopalpur Ps
Gopalpur District Patna At Present Residing At Rafiganj P.S. Rafiganj District
Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Smt. Aradhana Kumari Wife Of Anand Kumar Singh Resident Of Sthana-
137, Bhaura No. 19, Samudayik Bhawan, Parasia Baad, Nayadih Dhanbad
(JHARKHAND). At Present Residing At Tiya's Colony, Ramchandrapur,
P.S- Murarur Laheri, District - Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Garg, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

11 19-02-2024 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Complaint Case No. 15234 of 2022 registered for the offence

under Section 420 of IPC.

3. The prosecution story in brief is that an

unregistered agreement was entered with opposite party No. 2

for sale of piece of land and the amount was given to the

petitioner but no sale deed was executed and also the money

was not returned. A legal notice was also sent for the same and



the present case arose after filing of complaint case.

4. Learned counsel for the petitioner submits that petitioner is innocent person and he has falsely been implicated by the complainant opposite party No. 2 with ulterior motive. In the light of Supplementary Affidavit para 3 he further submits that during the course of argument, the counsel for the informant / opposite party No. 2 has made an offer that if the petitioner execute the sale deed or return the amount which has been paid to him within six months, then she will withdraw the criminal case / present First Information Report as well as other case relates to same cause of action lodged against the petitioner immediately.

5 . Learned counsel for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances as mentioned above, petitioner is directed to be released on provisional bail for six months. Let the petitioner, above named, be released on bail for a period of six months on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate – 1st Class, Patna Sadar, District – Patna in connection with Complaint Case No. 15234 of 2022.



7. Meanwhile, there is no restriction by this order to the trial court for commencing and concluding the trial.

8. If the petitioner fails to pay the entire amount of Rs. 15,00,000/- during the period of provisional bail, the petitioner shall surrender before the trial Court otherwise trial court will have liberty to take action according to the law.

(Ramesh Chand Malviya, J)

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