

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67854 of 2023**

Arising Out of PS. Case No.-143 Year-2023 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Raj Kumar Ranjan Son Of Sukdeo Prasad @ Shukdev Prasad Singh Resident
Of Jitu Koeri Lane, Nayachak Railway Colony, Sikandarpur, Ps- Mojahidpur,
Dist- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vidya Sagar Son Of Dhaneshwar Rajak Resident Of Ganga Vihar Colony,
Rani Talab, Ps- Zero Mile, Dist- Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Ghosarvey
For the Informant	:	Mr. Raja Ram Rai
For the State	:	Mr. Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 15-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 406 and
420 of the Indian Penal Code.

3. Allegation against the petitioner is that after
receiving the consideration money from the complainant, the
petitioner did not execute the sale deed in his favour.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that the complainant had entered into an



agreement with three persons i.e. petitioner, Ashutosh Kumar and Priya Ranjan for purchase of same plot and on the same day complaint petition has been filed against all these three persons being Complaint Case No. 141 of 2023, 142 of 2023 and 143 of 2023. He submits that the learned court below took cognizance only under Section 138 of N.I. Act in Complaint Case No. 141 of 2023 and Complaint Case No. 142 of 2023 but the case of the petitioner, the cognizance has been taken under Sections 406 and 420 of the Indian Penal Code. He submits that the dispute is purely civil in nature. He further submits that petitioner has one criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State and learned counsel for the complainant oppose the prayer for bail submit that the petitioner after receiving the consideration money did not execute the sale deed in favour of the complainant.

6. Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court



in connection with Complaint Case No. 143 of 2023, subject to
the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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