

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6591 of 2024

Arising Out of PS. Case No.-1854 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Ratnesh Chandra Pandey S/O KULKAMAL PANDEY VILLAGE AND P.O.- KAYAM NAGAR PS. KOILWAR DIST. BHOJPUR (BIHAR) PIN-802314
 2. DHANESH PANDEY S/O SRI RATNESH CHANDRA PANDEY VILLAGE AND P.O.- KAYAM NAGAR PS. KOILWAR DIST. BHOJPUR (BIHAR) PIN-802314

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Bihari, Advocate
For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 08-05-2024 Heard learned counsel for the petitioners and the State. Though, the complainant has put in his appearance, he is absent.

2. The petitioners are apprehending arrest in connection with Complaint Case No. 1854/2020 instituted under Sections 467, 471, 120(B), 406 & 506 of the Indian Penal Code filed on 2.12.2021 by the complainant, Sunil Kumar Mishra.

3. As per the complaint, the accused persons approached the complainant for a loan of Rs. 4,00,000/- for marriage of daughter of the petitioner no.1 for which a written hand note was also prepared and the complainant arranged Rs.



3,50,000/-. Later, the allegation is that they again approached for selling a piece of land and executed the same in the presence of witnesses but upon approaching the Revenue Office for mutation, it was informed that the land already stands sold to another person and that backdrop, the mutation petition was rejected. When the complainant alongwith his wife went to the house of the accused, not only they were abused, assaulted, the vehicle was also damaged. Left with no alternative, the complaint.

4. Learned counsel for the petitioners submit that they are innocent, wrong allegation has been made, it is purely a civil dispute which can be adjudicated before a competent Civil Court.

5. On the other hand, learned APP points out beside the cheating relating to the payment inasmuch as, the sold land was again transferred in the name of the complainant, the extended allegation is of misbehaving and damaging the vehicle which is part of the complaint.

6. Taking into account the allegation that has come against the two petitioners on firstly approaching for loan to get the daughter of petitioner no.1 married, subsequently, lured him to get the land executed which was already sold by the accused



persons and when alongwith his wife, he visited the home, was
abused and the vehicle damaged.

7. In that background, it is appropriate that they seek
bail. The anticipatory bail stands rejected.

(Rajiv Roy, J)

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