

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4151 of 2025

Arising Out of PS. Case No.-889 Year-2023 Thana- CHAPRA TOWN District- Saran

1. Sanjay Kumar Yadav son of Sudama Prasad Yadav @ Sudama Ray Village
-Tenua PS -Chapra Muffasil Dist- Saran
2. Munna Ray @ Munna Kumar son of Banshi Ray @ Vanshi Roy Village
-Tenua PS -Chapra Muffasil Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Akash Ambuj, Advocate
For the State : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-02-2025 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 406, 420, 467, 468, 471, 34 and 120B of the Indian Penal Code.

3. As per prosecution case, informant, namely Radhika Devi, alleges that she sold 14 dhur land in Mehiya to one Saroj Kumar Singh in the year 2021 for Rs. 29,40,000/- but full amount was not paid to her. Later on, Saroj Kumar Singh sold the land to Petitioner No. 1 and Petitioner No. 1 agreed to pay rest of amount to the informant but till date, despite repeated demands, Rs. 10,90,000/- remains unpaid. These petitioners are further alleged to have taken copies of the



agreement and never returned the same.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are innocent and have committed no offence. Petitioner No. 1 is *bona fide* purchaser of the land in question and Petitioner No. 2 is alleged to be witness of the alleged sale deed. As a matter of fact, it was co-accused Saroj Kumar Singh who bought the land from the informant and these petitioners were just witnesses of the agreement made between co-accused Saroj Kumar Singh and informant and were not the beneficiaries of the agreement. Moreover, the dispute is civil in nature, with regard to sale and purchase of the land and no criminal offence is made out against these petitioners. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, nature of dispute and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs.



10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Town P.S. Case No. 889 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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