

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7082 of 2025

Arising Out of PS. Case No.-371 Year-2024 Thana- SUGAULI District- East Champaran

1. Sonu Singh @ Sonu Kumar Singh S/o Bhupnarayan Singh Resident of village - Thana Chowk Sugauli, P.S.- Sugauli, Distt.- East Champaran
2. Abhinit Singh @ Vivek Kumar Singh @ Avanish Singh S/o Ashok Singh @ Ashok Kumar Singh R/o vill- Lalparsa, P.S. - Sugauli, Distt.- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chhote Lal Prasad S/o Late Basman Sah R/o vill - Sagauli Gaon Kanu tola, P.S. - Sugauli, Distt.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar- Advocate Ms. Rashmi Jha- Advocate
For the Opposite Party/s	:	Mr. Rabindra Kumar- A.P.P. Mr. Sheo Jee Mishra- Adv. for informant Mr. Dhananjay Kumar Gupta- Advocate Mr. Atul Kumar- Advocate Mr. Dhandev Kumar- Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 02-07-2025 1. Heard learned counsel for the petitioners, learned APP for the State and the learned counsel appearing on behalf of the informant.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 506 and 34 of the Indian Penal Code.

3. The learned counsel for the petitioners submits



that the petitioners are persons with clean antecedent. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that thrust of the allegation is against Ajay Kumar Jha that he sold a piece of land to the informant for a consideration amount of Rs.33,65,000/- and then the informant went to take possession of his purchased land, when he came to know that father of Ajah Kumar Jha had already sold the land to other person and Ajay was aware of the said transaction, but still sold the land to the informant in connivance with the accused persons.

4. The learned counsel for the petitioners submits that in the FIR, it is alleged that informant by cheque paid an amount of Rs.6,00,000/- in the account of Sonu Kumar Singh. It is submitted that the said cheque was given by the informant in lieu of the loan which he had taken from Sonu as would manifest from Annexure-2 to the anticipatory bail application. It is next submitted that if informant had paid Rs.6 Lacs in the account of Sonu Singh, in that event, the informant would have paid only Rs.26 Lacs and odd to Ajay Jha, but then, the informant very conveniently concealed the said fact. It is also submitted that as far as petitioner no.2 is



concerned, the only allegation against him is that petitioner no.1, out of Rs.6 Lacs which was credited in his account through cheque of the informant from that amount some money was RTGS in the account of the petitioner no.2. It is next submitted that the date of occurrence is 27.03.2023 and the FIR came to be instituted on 17.08.2024, after a delay of more than 17 months which cast an aspersion on the case of the prosecution.

5. Learned A.P.P. Sri Rabindra Kumar as well as learned counsel for the informant opposes the anticipatory bail application, but then, the learned counsel appearing on behalf of the informant is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that informant in the FIR has not disclosed that as to what amount was paid to Ajay Jha.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees



Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Motihari, East Champaran in connection with Sugauli P. S. Case No.371 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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