

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9243 of 2025

Arising Out of PS. Case No.-101 Year-2015 Thana- SAMASTIPUR District- Samastipur

Manoj Chaudhari S/o Shri Gopal Choudhary R/o Village Harpur Mahamda
P.S. Pusa District Samastipur, present address Village Madhuban Post and P.S.
Madhuban Gulwara Madhuban District East Champaran, Bihar 845420

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Saket Kumar Jha, Advocate Mr. Pramod Kr. Pandey, Advocate Mr. Neeraj Kumar, Advocate
For the State	:	Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-03-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 406, 465, 468 and 34 of the Indian Penal Code.

3. As per prosecution case, it is alleged that despite receiving consideration money of Rs. 2,36,000/- from the informant, this petitioner refused to execute the sale deed in his favour.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. As per prosecution case, the alleged payment was made in the year 2012 to co-accused Pappu



Chaudhary @ Pappu Kumar Chaudhary, however, the present F.I.R. has been lodged after inordinate delay of three years in 2015 and there is no plausible explanation for the same. As a matter of fact, both parties agreed to sell and purchase the land in question for Rs. 2,36,000/- but informant kept on evading payment of consideration money and as a result, the sale deed was not executed. It is further submitted that as per F.I.R., no amount was paid to this petitioner. Moreover, from bare perusal of the F.I.R. it is apparent that the dispute is civil in nature with regard to sale and purchase of land and none of the acts allegedly committed by this petitioner would give rise to any criminal liability. It is lastly submitted that co-accused Pappu Chaudhary @ Pappu Kumar Chaudhary has already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 19.02.2025 passed in Cr. Misc. No. 3413 of 2025. Petitioner claims clean antecedents.

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

6. Considering the aforesaid facts and circumstances, nature of dispute, delay in lodging of the F.I.R. and clean antecedents of the petitioner, the prayer for grant of anticipatory



bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Samastipur Town P.S. Case No. 101 of 2015, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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