

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14401 of 2025

Arising Out of PS. Case No.-1107 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Komal Kumar Son of Shivnandan Sah village- Nariyar Tola, Bengha, P.S-
Saharsa, Dist- Saharsa Petitioner/s

Versus

1. The State of Bihar
2. Upendra Prasad Yadav @ Upendra Yadav son of Late Sukhdev Yadav @
Surudev Yadav village- Laxmi Nath Nagar Ward no. 6/21, Ps and Dist-
Saharsa Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 14-10-2025 Despite valid service of notice, nobody appears on
behalf of the O.P. No.2.

2. Heard learned counsel for the petitioner as well
as learned APP for the State.

3. The petitioner apprehends his arrest in
connection with Saharsa Sadar P.S. Case No. 1107 of 2024,
registered for the offences punishable under Sections 316(2),
318(4), 352, 351(2), 351(3) and 303(2) of BNS and under
Section 138 of the N.I. Act.

4. As per allegation, the informant sold his land to
the petitioner but the petitioner failed to pay Rs. 5,10,000/-
remaining consideration money. Later on, the petitioner issued a
cheque of that amount in favour of the informant which was



dishonoured by the bank.

5. The learned counsel for the petitioner has submitted that the informant cheated the petitioner for which the petitioner has lodged a case against the informant. As a matter of fact, he executed a sale deed in respect of *Gairmajarua Aam* land.

6. On the other hand, the learned APP for the State has opposed the prayer for bail.

7. Considering the fact that according to counter allegation petitioner is himself been cheated by the informant as he sold the land which was entered into the revenue records as a *Gairmajarua Aam* land, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory 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, Saharsa in connection with Saharsa Sadar P.S. Case No. 1107 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

AjayMishra/-

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