

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10467 of 2025**

Arising Out of PS. Case No.-1529 Year-2022 Thana- GAYA COMPLAINT CASE District-  
Gaya

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Rajesh Sao @ Rajesh Kumar @ Rajesh Saw S/O Late Bhavasagar Saw @  
Late Bhossagar Saw R/O Village- Dabur, P.S.- Konch, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Krishna Kumar Singh S/O Ramvriksha Singh R/O Village- Dabur, P.S.-  
Konch, District - Gaya

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Diwakar .

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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

ORAL ORDER

6      30-10-2025              Heard learned counsel for the petitioner and learned APP  
for the State.

2. The petitioner is apprehending his arrest in Complaint  
Case No. 1529 of 2022 initially registered under Sections 323,  
341, 406, 504 & 34 of the Indian Penal Code and later on,  
cognizance has been taken for the offence under Sections 323,  
341 & 406 of the Indian Penal Code.

3. According to allegation, the petitioner took Rs.  
1,15,000/- from the complainant for treatment of his ailing  
mother. The payment was made on the basis of written  
agreement between the parties. The petitioner neither returned  
the money nor executed the sale deed according to terms of



agreement.

4. It has been submitted on behalf of the petitioner that the complaint has been filed after lapse of 13 years without explaining the reason for delay. His further submission is that the petitioner himself executed the sale deed in favour of mother of the complainant in the year, 2003. Learned counsel for the petitioner has also submitted that the petitioner has already lodged a Title Suit against the complainant.

5. On the otherhand, learned counsel for the complainant opposed the prayer for bail by submitting that the petitioner did not return the money nor he executed the sale deed as per agreement entered into between the parties.

6. The dispute appears to be of civil nature and the ultimate remedy lies before the civil court.

7. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of four weeks, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class/concerned court, Gaya in connection with Complaint Case No. 1529 of 2022, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure/482(2)  
of the BNSS, 2023.

**(Nawneet Kumar Pandey, J)**

A.K.V.//-

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