

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10213 of 2025

Arising Out of PS. Case No.-123 Year-2024 Thana- CHAKAND District- Gaya

Md. Gulam Sadik Son of Late Md. Yusuf Ansari Resident of Sakia Ranapur,
P.S. - Chakand, District - Gaya

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Md. Dilsad Son of Md. Mahmood Resident of village Ranapur, PO and PS-
Chakand Dist- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Sinha, Advocate
For the Opposite Party/s : Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 02-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Chakand P.S. Case No. 123 of 2024, registered on 08.05.2024, for the alleged offences under Sections 420, 406 of the Indian Penal Code.

03. As per prosecution case, the petitioner sold out a piece of land to the informant claiming its area to be about 351 square feet and took the whole consideration amount. Subsequently, on measurement of the purchased land, area came out to be 189 square feet. When informant confronted the petitioner, he executed an agreement before *Panchayat* that he



would return Rs. 1,66,000/- to the informant but failed to abide by this undertaking and started threatening the informant.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the facts of the case, it is apparent that no criminal liability of petitioner is made out and it is a matter of civil nature. The petitioner is in custody since 13.08.2024 and charge-sheet has been submitted. The petitioner is having antecedent of five cases and he is on bail in four such cases.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that petitioner appears to be habitual offender and is accused in similar nature of cases.

06. Despite service of notice, no one appeared on behalf of the opposite party no. 2.

07. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on 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 1st Class, Gaya in connection with Chakand P.S. Case No. 123 of 2024, subject to



the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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