

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11099 of 2025

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

Subash Kumar Jha @ Subhash Kumar Jha S/O Mohan Jha Resident of
Village-Sugaon, Police Station- Sugauli, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chhotelal Prasad S/O Basman Sah R/O Village- Sugauli Kanu Tola, P.S-
Sugauli, Distt.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Shakil Ahmad Khan
For the Opposite Party/s :	Mr. Ganesh Prasad Singh- A.P.P.
	Mr. Dhananjay Kumar Gupta
	Mr. Dhandev Kumar
	Mr. Atul Kumar
	Mr. Sumit Kumar Gupta
	Mr. Sheo Jee Mishra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 12-09-2025 1. Heard learned counsel for the petitioner, learned

APP for the State and the learned counsel appearing on behalf of

the informant.

2. The petitioner seeks bail in anticipation of his

arrest in a case registered for the offences punishable under

Sections 420, 467, 468, 471, 506/ 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that

the petitioner is a person 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.34 Lacs and when informant went to take possession of his purchased land, he came to know that father of Ajay Kumar Jha had already sold the land to some other person and Ajay was aware of the said transaction, but still sold the land to the informant in connivance with the accused persons including the petitioners.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that informant in the FIR alleges that it was petitioner who was mediating in between the informant and Ajay Kumar Jha. It is also submitted that since petitioner was a mediator, hence, the informant believing the mediator, purchased the land from Ajay Kumar Jha, but then, it is submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant does not even remotely allege that the petitioner took any amount from him rather the entire consideration amount was credited in the account of Ajay Kumar Jha. It is also submitted that Ajay Kumar Jha had moved this Court seeking regular bail, but then, the same was rejected by this Court. It is also submitted that petitioner is known to both informant and Ajay Kumar Jha and he was informed by Ajay Kumar Jha that he intends to sell his land, as such, the



petitioner had informed the informant that Ajay Kumar Jha intends to sell his land, but then, it is submitted that the informant as a purchaser had to be aware that as to whether the land which he intends to purchase is genuine land or not. It is next submitted that had the petitioner been involved in the occurrence in any manner, in that event, efforts would have been made to take commission from the informant in lieu of informing him that Ajay Kumar Jha intends to sell his land. The learned counsel appearing on behalf of the petitioner next submits that the instant criminal case has been instituted only to coerce the petitioner into submission.

5. Learned A.P.P. as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application. The learned counsel appearing on behalf of the informant submits that petitioner on stamp paper had given in writing that he will ensure that the money is returned by Ajay Kumar Jha to the informant. It is submitted that said undertaking was given only because petitioner was involved in the occurrence, on which the learned counsel appearing on behalf of the petitioner submits that this amply demonstrates that how informant is trying to coerce the petitioner into submission on strength of a criminal case. It is also submitted



that if the informant is really aggrieved by the fact that he has been cheated, in that event, he apart from filing a case against Ajay Kumar Jha also has an option of moving a Court of competent civil jurisdiction for recovering the amount, but then it appears that informant has not filed any case for recovery of the money and intends to coerce persons like petitioner and others into submission for pressurizing Ajay Kumar Jha to return the amount.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Smt. Shikha Sharma, the learned J.M. 1st Class, East Champaran at Motihari 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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