

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18097 of 2025

Arising Out of PS. Case No.-191 Year-2016 Thana- GAYA COMPLAINT CASE District-
Gaya

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Upendra Singh Son of Late Hari Kameshwar Singh @ Late Kameshwar
Singh Resident of Village- Gandhar Tola, Amrit Bigha, Rasalpur, P.S.-
Muffasil, Distt.- Gaya Petitioner

Versus

1. The State of Bihar
2. Raju KUMar Son of Late Sukhdev Lal Barnwal Resident of Mohalla-
Tutwari, Ganga Mahal, P.S.- Kotwali, Distt.- Gaya at present Mohalla-
Murarpur, P.s.- Kotwali, Distt.- Gaya Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate
For the Opposite Party/s : Mr.Ajit Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 17-09-2025 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 420 and 467 of the Indian
Penal Code.

3. As per the prosecution case, without disclosing
previous sale of the same land, petitioner sold same piece of
land situated in village Gandhar as Khata no. 170, Plot No.1053
with area 2 decimal to the complainant.

4. Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. Dispute is purely of civil nature.
Complaint has been lodged after four years of registration of
sale deed without any explanation which renders the entire
prosecution case doubtful. Without prejudice, petitioner is ready
to deposit Rs.75,000/- in the Nazarat of the Civil court
concerned, subject to outcome of the criminal case. Petitioner
claims clean antecedent.



5. Learned counsel for the State opposes the prayer for pre-arrest bail.

6. Considering the facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let this petitioner, mentioned above, 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 Additional Chief Judicial Magistrate 1, Gaya in Complaint Case No. 191 of 2016, subject to the conditions laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 as well as on the condition that at the time of furnishing bail bond, Rs. 75,000/- shall be deposited by the petitioner in the Nazarat of the Court below.

7. It is made clear that without going into the merit of the case, aforesaid order has been passed only for the purpose of grant of bail and this deposit would be subject to the final result of the criminal case.

(Prabhat Kumar Singh, J)

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