

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17725 of 2025

Arising Out of PS. Case No.-2046 Year-2024 Thana- PATNA COMPLAINT CASE District-
Patna

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Manoj Kumar Son of Late Rangila Ray Resident of Village- Jiv Rakhan Tola,
Goraya Asthan, Police Station- Maner, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shiv Dayal Singh S/o- Late Dudhnath Singh R/o- Bigrahpur Ps- Jakkanpur
Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subhash Kumar , Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 08-07-2025 Heard learned counsel for the petitioner and the

State .

2. The petitioner apprehends arrest in a case registered

for the offence punishable under sections 420, 406, 467, 468 ,

120 B of the Indian Penal Code .

3 . As per the prosecution case , informant namely

Shiv Dayal Singh alleged that he entered into an agreement with

petitioner to execute sale deed for total Rs. 20 lakh and pursuant

to the agreement Rs. 10 lakh was paid to the petitioner in

advance but after receiving the aforesaid amount, petitioner

neither executed the sale deed nor returned the alleged money .

4. By filing a supplementary affidavit, learned



counsel for the petitioner, submitted that petitioner is innocent and has committed no offence as alleged. It is further submitted that it is true that there was agreement between petitioner and complainant for which petitioner received Rs. 10 lakh for execution of sale deed. However, on demand, petitioner returned Rs. 2 lakhs through cheque and 2 lakh in cash and as such, total 4 lakh out of 10 lakh has already been returned to the complainant. It is further submitted that petitioner is also ready to deposit the rest amount of Rs. 6 lakhs in installments in the Nazarat of the concerned Civil Court.

5 . Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let the 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 Judicial Magistrate Ist Class Patna in connection with Complaint Case No. 2046 of 2024 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure as well as on following conditions:-

(i) At the time of furnishing bail bond, Rs. 2 lacs shall be deposited by the petitioner in the Nazarat of the Court



below through Demand Draft of S.B.I.

(ii) Rest amount of Rs. 4 lakhs shall be deposited by the petitioner in 4 installments within 1 year thereafter.

(iii) If the petitioner fails to comply with the aforesaid direction of this court, the court below shall be at liberty to cancel the bail bonds of the petitioner.

6. 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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