

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17413 of 2025

Arising Out of PS. Case No.-792 Year-2016 Thana- COMPLAINT CASE District-
Kishanganj

Radhesyam Singh @ Radheshyam Singh S/o- Bhagindra Singh Village-
Ashram Para Ward no. 05 Ps- Thakurganj District- Kishanganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mukesh Kumar S/o- Late Raja Ram Prasad Village- Ashram Para, W.No-5,
Ps- Thakurganj Dist- Kishanganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the State : Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Complaint Case No. 792C of 2016, dated
25.10.2016 filed for the offences punishable under Sections 323,
420, 406 and 504 of the Indian Penal Code.

3. As per allegation, despite agreement for sale and
part payment of consideration amount, the accused person has
not executed the sale deed in favour of the complainant.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that no agreement for sale has been



executed by the petitioner, nor has he received any amount as consideration for selling any land. He further submits that the present case is false and fabricated and at most, the present case constitutes a dispute of civil nature.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court below, in connection with Complaint Case No. 792C of 2016, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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