

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18371 of 2025

Arising Out of PS. Case No.-456 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

Lakshmi Kant Tiwari @ Lakshami Kant Tiwari S/o-Late Ramji Tiwari
Resident of village- Paspipra PO- Shuklapipra PS- Mohania District-Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Garg, Adv.

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

Mr. Nalin Vilochan Tiwari, Adv.for Informant

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 15-05-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 420, 467, 468, 406, 423/34 of the Indian Penal Code.

3. The case of the prosecution, in brief, is that on 14.03.2014, this petitioner gave his one acre five decimal land to son of informant for rice mill through registered sale-deed on payment of Rs. 60 lakhs, as lease amount, for which, son of informant paid Rs. 30 lakhs, as advance, and spent Rs. 60 lakh on construction of rice mill on the aforesaid land. It is further alleged that on 13.04.2021, son of informant died during Covid-19 period and when daughter-in-law of informant visited the



aforesaid land, she came to know that this petitioner has sold the said land without informant's knowledge or permission.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and only with a view to extort money from petitioner, this false and concocted case has been lodged. There is no paper or material to show that informant's son spent Rs. 60 lakh in construction of rice mill and gave Rs. 30 lakh to petitioner, as advance. In fact, not a single penny has been paid to petitioner regarding the lease amount of land or installation of rice mill over the land in question. Petitioner has never given delivery of possession of aforesaid land to informant's son. Moreover, the dispute is purely of civil nature and none of the acts allegedly committed by the petitioner give rise to any criminal liability. It is out-and-out a civil dispute, for which, informant has got some other remedy.

5. Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a period of eight weeks from today, let the above named petitioner 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 learned A.C.J.M. 1st, Mohania, District - Kaimur in connection with Mohania P.S. Case No. 456 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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