

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19821 of 2025

Arising Out of PS. Case No.-333 Year-2016 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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RAGHO RAY @ RAGHO RAI @ RAGHAV RAI S/O LANGAD RAI R/o
vill - Maharani Bahwal, P.s.- Pipra, Distt.- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kamal Rai S/o Late Mahesh Rai R/o vill - Sirsiya, Tola Balua, P.S.- Pipra,
Distt.- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Suraj Kumar Tiwari, Advocate
For the State : Mr. Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-04-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a complaint
case registered for the offence punishable under Sections 420,
466, 467, 468, 471 and 423 of the Indian Penal Code.

3. As per prosecution case, complainant, after
payment of consideration money, purchased a piece of land
from this petitioner. Thereafter, it is alleged that when the
complainant went to cultivate his purchased land then the
pattidars of the land raised objection and hence, complainant
alleged that this petitioner committed cheating by selling land
upon which he has no right or title.



4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. As a matter of the fact, the alleged sale deed was executed by the petitioner in the name of the complainant/Opposite Party No. 2 on 11.06.2000, which is also admitted by the complainant/Opposite Party No. 2 and the present complaint petition has been lodged after inordinate delay of 16 years and the same has been filed only on the ground that the *pattidars* are raising objections, which cannot be a ground for alleging cheating or fraud against this petitioner. Moreover, the dispute involved in the present case is civil in nature for which complainant/Opposite Party No. 2 has got alternative remedies. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the nature of accusation, delay in lodging of the complaint case and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender 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 J.M.F.C., East Champaran at Motihari, Bihar in connection with Complaint Case No. C-333 of 2016, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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