

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22492 of 2025

Arising Out of PS. Case No.-416 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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Pappu Kumar S/o Sri Gajendra Sharma Resident of village - Gazachak,
Mohammadpur, Phulwari sharif, PS- Phulwari, district- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prem Shankar Singh S/o Prabhunath Singh R/o vill - Senduar, P.O. - Rampur Bindalal, P.S.- Ekma, Distt.- Saran, Presently residing at Sri Krishna Vihar Colony, Road no. 4E Near Patna Mart, Beur, P.s.- Beur, Distt.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman, Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-07-2025 Heard Mr. Md. Anisur Rahman, learned counsel for

the petitioner and Mr. Aditya Narayan Singh 1, learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 416(c) of 2021, for the offences punishable under Section 420 of the Indian Penal Code and Section 138 of N.I. Act.

3. According to prosecution case, in March 2018, accused persons Pappu Kumar (petitioner), Rajesh Kumar and Jipu Kumar approached the complainant to sell a plot of land measuring about 1 katha 15 dhur situated at Mauza-Gazachak Mohammadpur, Phulwari Sharif, Patna. They claimed they had



an agreement with the original land owner and were authorized to sell the land. An agreement to sell was executed on 18.04.2018 for a consideration of Rs. 09,50,000/- per katha and the complainant paid Rs. 4,75,000/- in advance. Although, the sale deed was supposed to be registered within five months, the accused kept delaying it. Eventually, on 16.12.2019, petitioner admitted that the land was not available and issued a cheque, which was later dishonored due to insufficient funds. the complaint sent a legal notice, but got no response and began receiving anonymous threatening calls warning him against taking legal actions.

4. Learned counsel for the petitioner, on instruction, fairly submits that the petitioner is ready to return Rs. 4,75,000/- (Rupees Four Lakhs and Seventy Five Thousand) to the complainant in two installments.

5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner carries 18 more cases other than the present but fairly submits that the petitioner is on bail in all the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of



his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XIII, Patna in connection with Complaint Case No. 416(c) of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure /Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) At the time of furnishing bail bond, the petitioner shall deposit furnish a demand draft of Rs. 3,00,000/- (Rs. Three Lakhs) by way of demand draft in favour of the complainant, namely, Prem Shankar Singh and the learned Court below is directed to hand over the said demand draft to the complainant or his representative and rest amount of Rs. 1,75,000/- (Rs. One Lakh and Seventy Five Thousand) shall be paid by the petitioner to the complainant within a period of two months from the date of the furnishing bail bond. If the petitioner fails to pay the rest amount within the aforesaid period, the complainant shall be at liberty to move before the appropriate forum for cancellation of bail bond of the petitioner.

(ii) Petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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