

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19980 of 2025

Arising Out of PS. Case No.-621 Year-2023 Thana- TEKARI District- Gaya

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1. Sanjay Kumar @ Sanjay Sharma S/O Late Sakaldeo Sharma R/O Vill.- Bhor, P.S.- Tekari, Dist.- Gaya.
 2. Dharmendra Kumar S/O Late Sakaldeo Sharma R/O Vill.- Bhor, P.S.- Tekari, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Vinod Kumar, Advocate
For the State	:	Mr. Sunil Kumar Pandey, APP
For the Informant	:	Mr. Gajendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 08-09-2025 Heard learned counsel for the petitioner, learned APP for the State as well as learned counsel appearing on behalf of the informant.

2. At the outset, learned counsel for the petitioner informs this Court that vide order dated 24.04.2025 anticipatory bail petition with regard to petitioner no.2 was withdrawn as he has already been arrested during pendency of the anticipatory bail application.

3. Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420, 467, 468, 504, 506 and 34 of the Indian Penal Code.

4. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant



alleges that Malti Devi showed her intention to sell her land and, accordingly, the informant entered into the agreement for sale which was to be executed 29.03.2019. It is next alleged that the informant asked Malti Devi to execute the sale deed but she did not execute the sale deed and later it was found that Sanjay and Dharmendra had sold the land to other person by declaring that their mother Malti Devi is dead.

5. Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in the instant case by the informant. It is next submitted that informant had entered into an agreement for purchasing a piece of land with Malti Devi. It is further submitted that no doubt the land in dispute has been sold by the sons of Malti Devi but the informant prior to that only had instituted a title suit before a court of competent civil jurisdiction. It is further submitted that the dispute is civil to which a criminal colour has been given.

6. Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for grant of anticipatory bail to the petitioner. Learned counsel for the informant submits that no doubt from perusal of the allegation, as alleged in the FIR, it would manifest that the dispute is civil to which a criminal colour has been given but then it is submitted that the act of the petitioner is such which amply demonstrates that petitioner had an intention to



cheat the informant. It is submitted that Sanjay and Dharmendra executed the sale deed with respect to the land, which the informant intended to purchase and for which the informant entered into the agreement with Malti Devi, to another person and in the sale deed it was recorded that Malti Devi is dead. It is submitted that since the land was sold to a third person recording that Malti Devi died, as such, Malti Devi could not execute the sale deed.

7. Learned counsel for the petitioner is not in a position to rebut the submissions made by learned counsel appearing on behalf of the informant that Malti Devi is still alive and the sale deed which was executed by her sons with respect to the land in dispute wrongly recorded that Malti Devi is no more.

8. Considering the submissions made by learned counsel for the informant, this Court does not think it proper to extend the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail to the petitioner is hereby rejected in connection with Tekari P.S. Case No.621 of 2023.

(Satyavrat Verma, J.)

Sanjay/-

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