

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21459 of 2025

Arising Out of PS. Case No.-623 Year-2019 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

Radhesyam Pandey Son of Late Bigu Pandey Resident of Village- Kanak
Semaria, P.O.- Balathari, P.S.- Kochas, District- Rohtas, State- Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dhananjay Kumar Prajapati Son of Bachan Pandit Resident of Vill- Bisopur,
P.O. and P.S.- Karagahar, District- Rohtas, State- Bihar, Pin Code- 821107,
Mob. No.- 7870094505

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Saroj Kumar, Advocate
For the State	:	Mr. Ram Sevak Choudhary, APP
For Opposite Party No.2:	:	Mr. Babu Nandan Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-07-2025 Heard learned counsel appearing on behalf of the

petitioner, learned APP appearing on behalf of the State and

learned counsel appearing on behalf of the complainant

/Opposite Party No. 2.

2. The petitioner apprehends his arrest in a complaint
case registered for the offence punishable under Sections 323,
341, 406 and 420 of the Indian Penal Code.

3. The prosecution case, in brief, is that this petitioner
borrowed a sum of Rs. 5,00,000/- from the complainant
/Opposite Party No. 2 and assured that in case he is unable to
return the money, he will execute a sale deed in favour of the



complainant/Opposite Party No. 2. It is alleged that thereafter, petitioner did not return the money and also refused to execute the sale deed.

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 fact the complainant is land broker and had purchased land of the petitioner and later on, sold the same to a client at higher rate. It is further submitted that petitioner has already executed the sale deed in favour of one Manoj Kumar, who happens to be client of the complainant and as such, he has not committed any fraud. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State and learned counsel appearing on behalf of the complainant /Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the complaint petition with specific accusation that he took Rs. 5,00,000/- from the complainant /Opposite Party No. 2 and refused to return the same or execute the sale deed in favour of the complainant /Opposite Party No. 2.



6. Considering the facts and circumstances of the case, materials available on record and specific and direct nature of accusation, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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