

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25835 of 2024

Arising Out of PS. Case No.-1859 Year-2021 Thana- COMPLAINT CASE District- Araria

Manoj Das @ Manoj Kumar Das Son Of Sri Lakhan Das Resident Of Village-
Gidwas, Ward No. 7, Ps- Raniganj, Dist- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sri Dularchand Das Son Of Lakhan Das Resident Of Village- Gidwas, Ward
No. 7, Ps- Raniganj, Dist- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 03-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a complaint case punishable for the offence under Sections 420, 418, 323, 330, 384, 506, 120(B)/34 of the Indian Penal Code, in which, cognizance has been taken under Section 420 of the IPC.

3. It is alleged that this petitioner after taking consideration money of Rs. Three lacs in advance, executed the deed of agreement to sell five katha of land in favour of complainant's wife, but subsequently, petitioner sold the said land to his *bhabhi* (co-accused Manju Prasad) on more consideration money and when complainant demanded his



money, petitioner refused to return the same.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case due to previous enmity and land dispute. Petitioner has already refunded Rs. Three lacs to complainant, but complainant started demanding interest of his 3 lacs and on refusal, this false and concocted case has been lodged. Learned counsel further submits that in this regard, the complainant has already filed a title suit in the learned Court below, in which, petitioner has been made defendant. Moreover, the dispute involved in the complaint petition is of civil nature and none of the acts allegedly committed by the petitioner give rise to any criminal liability. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has 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 J.M. 1st Class, Araria in connection with Complaint Case No. 1859C of 2021, subject to condition as laid



down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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