

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21371 of 2025

Arising Out of PS. Case No.-179 Year-2024 Thana- NIMCHAKBATHANI District- Gaya

Sudhir Kumar @ Pintu Kumar Son of Kamlapati @ Kamlaapti Singh
Resident of Village - Simraur Station Road, Post -Nekpur, P.S. - Neemchak
Bathani, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Sinha

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-05-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Neemchak Bathani P.S. Case No. 179 of 2024 dated
16.08.2024 registered under Sections 126(2), 115, 61(2), 316(2),
352, 351(2), 351(3), 3(5) of the Bharatiya Nyaya Sanhita 2023
and section 27 of the Arms Act.

3. As per the first information report the informant on
persuasion of his brother-in-law i.e. petitioner agreed to open a
school for which 11 decimals of land was jointly purchased for
a consideration amount of Rs. 40 lakh. An agreement was
entered into between the petitioner and the informant for
construction of the school building. The school was started in
2023 in which Rs. 80 lakh was invested by both the petitioner



and the informant. It has further been alleged that after few days the informant realized that he was being cheated and deceived and no financial account was being provided to the informant. When the informant demanded his money back, on one pretext or the other the same was not given and ultimately a 'panchayati' was held in which conditions were imposed upon the petitioner as well as the informant. It has lastly been alleged that the informant took legal step for filing of case in the court and when notice of court was received by the petitioner on 06.05.2024, he came at the house of the informant at about 4:00 P.M. and abused him and pointed pistol and threatened him of dire consequences.

4. Learned counsel for the petitioner submits that both the petitioner and informant are closely related and upon perusal of first information report it would be evident that prima facie it is a case of settlement and rendition of account. The allegation against the petitioner is purely civil in nature and for similar cause of action a complaint case bearing Complaint Case No. 1092 / 2024 has been filed by the informant against the petitioner and in order to harass the petitioner the present F.I.R. has been lodged with super addition that petitioner pointed pistol and threatened the informant of dire consequences. The



criminal antecedents under sections 406 & 420 I.P.C. as mentioned in paragraph 3 has been lodged at the behest of the informant.

5. Regard being had to the submission made by the parties, taking into consideration the nature of allegation and the fact that both the petitioner and informant are closely related and there appears to be dispute regarding settlement of account accordingly I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Mr. Sanjay Kumar, J.M.F.C., Gaya in connection with Neemchak Bathani P.S. Case No. 179 of 2024 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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