

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23244 of 2025

Arising Out of PS. Case No.-306 Year-2021 Thana- COMPLAINT CASE - PATNA CITY
District- Patna

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Baban Kumar Singh S/O Ram Pd Singh R/O Fatehpur Bank Tola, P.S.-
Didarganj, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prashant Kumar Singh S/O Sri Ram Naresh Singh R/O House no. 823,
Mahavir Nagar (Hanuman Nagar), Kankarbagh, P.S.- Patrakar Nagar, Dist.-
Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dharendra Kumar, Advocate
For the State	:	Mr. Rabindra Kumar, APP
For the Informant	:	Mr. Manoj Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 23-07-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 306 of 2021 for the offence under Sections 406, 420, 506 and 34 of the Indian Penal Code, lodged by the complainant Prashant Kumar Singh.

3. As per the prosecution story, the informant alleged that a lease agreement was signed between the parties relating to the land of the petitioner for running an educational institution in the name of Lalita Educational and Social Welfare Trust with the complaint as a Secretary. Due to Covid-19, the school ran into troubles whereafter in the year 2021 when they visited the



school, found the petitioners occupying the campus and took away amounts present in it as also threatened them of dire consequences which led to the complaint against them.

4. Learned counsel for the petitioner submits that the Lalita Educational and Social Welfare Trust to which he claims to be Secretary removed him in the year 2019 itself as per the letter dated 20.01.2019 issued under the signature of all the office bearers including the President and the Vice-President (Annexure-P/3). The further submission is that it is a civil dispute in which the complainant is trying to put pressure by lodging criminal case.

5. Learned counsel representing behalf of the complainant submits that the same President has signed a document in the year 2022 alleging criminal act by the petitioner addressed to the Deedarganj Police Station (OP-2/C).

6. Considering the submissions put forward by the parties as also the fact that the petitioner has no criminal antecedent, there is dispute relating to the land in question, two documents are on record, one by the Lalita Educational and Social Welfare Trust headed by President, Rajiv Ranjan Singh showing removal of the petitioner as Secretary whereas the another document filed by the informant of the same Rajiv



Ranjan Singh shows the complaint against the petitioner. In such conflicting situation coupled with the fact that the matter will be ultimately decided by a competent civil court, the petitioner has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, First Class, Patna City, Patna, in connection with Complaint Case No. 306 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his



attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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