

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27970 of 2025

Arising Out of PS. Case No.-402 Year-2024 Thana- PUNPUN District- Patna

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1. Vikash Kumar @ Goodu Kumar @ Guddu Kumar S/O Late Sahajendra Kumar Singh R/O Village- Madarpur, P.S- Punpun, Distt.- Patna.
 2. Manju Devi @ Manjoo Devi W/O Late Sahajendra Kumar Singh R/O Village- Madarpur, P.S- Punpun, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vinod Kumar Singh S/O Late Rajendra Prasad Singh R/O Village- Madarpur, P.S- Punpun, Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Krishna Prasad, Sr. Advocate Mr. Jay Ram Prasad, Advocate
For the State	:	Mr. Manoj Kumar, APP
For Opposite Party No.2 :		Mr. Dilip Kumar, Advocate Ms. Pragya Kiran, Advocate Ms. Kiran Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 03-07-2025 Heard learned senior counsel appearing on behalf of the petitioners, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant/Opposite Party No. 2.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 318(4), 316, 351(2), 352, 308(2) and 127(2) of the B.N.S..



3. The prosecution story, in brief, is that informant is a kidney patient and was in need of money and for that he intended to sell his land measuring about 02 Katha and knowing this fact, these petitioners approached the informant to purchase land and accordingly on 05.02.2021, Petitioner No. 1 took signature of informant on already typed agreement paper, by making him consuming intoxicated thing and also gave Rs.10 Lakh to informant as agreement amount. It is further alleged that later on, at the time of measuring of land, informant came to know that agreement of sale was made for 67 decimal on 05.02.2021 and not for only 02 Katha and thereafter, informant made objection, but Petitioner No. 1, along with his antisocial elements, threatened him with dire consequences so informant agreed for aforesaid agreement for sale for 67 decimals land at the rate of Rs.10,05,000/- per katha and petitioners agreed to give total Rs.1,95,37,200/- (One crore ninety five lakh thirty seven thousand two hundred) to informant before registry of aforesaid land. It is further alleged that on 19.06.2021, informant executed the sale deed of aforesaid land in favour of petitioner under threat and coercion given by these petitioners and thereafter, petitioner also got the aforesaid land mutated in



his favour but till date he has not given complete consideration amount and as per aforesaid agreement, Rs.98,32,200 (Rupees Ninety eight lakh thirty two thousand two hundred) is due with petitioners and on asking for money, petitioners always used to give threat with dire consequences. It is also alleged that on 18.08.2024 when informant was roaming at his field near Madarpur School, Petitioner No. 1 suddenly came there and started beating him with butt of pistol and threatened to forget about due consideration money. It is further alleged that on 28.08.2024 at about 11.00 hrs, both these petitioners came at new house of informant and committed *marpit* with him and his child and again gave threat to forget aforesaid due amount and got treated at Paras hospital on 02.09.2024 and accordingly, this F.I.R. was registered.

4. It is submitted by learned senior counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. Petitioners have purchased the land appertaining to Khata No. 805, Plot No. 3911 measuring area 67 decimals at the rate of Rs. 5,65,000/- per Katha and petitioners have paid Rs. 1,55,00,000/- to the informant. An agreement for sale of the aforesaid land was executed on 05.02.2021 and 19.06.2021 after receiving the full amount of



consideration money. After purchasing the aforesaid plot, Petitioner No. 1 got the land mutated but no objection was made and after lapse of more than three years, this false and concocted case has been lodged. Moreover, from bare perusal of the F.I.R. it is apparent that the dispute is with regard to sale and purchase of land which is purely civil in nature. None of the acts allegedly committed by these petitioners would give rise to any criminal liability.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case and nature of accusation, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Masaurhi, District- Patna in connection with Punpun P.S. Case No. 402 of 2024, subject to condition as laid down under Section 482(2) of



the B.N.S.S..

(Prabhat Kumar Singh, J)

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