

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28078 of 2025**

Arising Out of PS. Case No.-7773 Year-2023 Thana- PATNA COMPLAINT CASE District-  
Patna

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Prem Nath Pandey @ Premnath Pandey S/o- Late Parmeshwar Pandey Village-  
Sheikhpura PO- BV College PS- Airport Thana District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anil Kumar Pandey S/o- Late Binda Pandey @ Binda Sharma Village-  
Sheikhpura PO- BV College PS- Airport Thana District- Patna

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vivekanand Singh, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      07-05-2025                      Heard Mr. Vivekanand Singh, learned counsel  
  
appearing on behalf of the petitioner and Mr. Zainul Abedin,  
  
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection  
with Complaint Case No. 7773 of 2023 registered for the  
offence(s) punishable under Sections 420, 467, 468, 472, 120(B)  
of the Indian Penal Code.

3. As per the allegation made in the FIR, the father of  
the petitioner namely Parmeshwar Pandey, sold the land of the  
complainant to co-accused Susheela Devi and Kaushilya Devi,  
vide a registered sale deed dated 02.04.2011 scrupulously. The  
complainant came to know about the said sale deed on



14.12.2022 and filed a complaint on the basis of name of the executant and the purchaser, as well as, the witnesses and the identifiers.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner was only a witness to the sale deed, as would appear from the para-8 of the Complaint. He has no role in the fraudulent transaction, in any manner, which was allegedly made in the year 2011. He further informs that Complainant has already filed a Title Suit no.493 of 2023 for cancellation of the said sale deed. The offence is purely civil in nature. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, the allegation made in the Complaint, in which it is admitted by the complainant that the petitioner was the witness of the sale deed, which was executed in the year 2011. The complainant came to about the sale deed on 14.12.2022 and subsequently filed the Title Suit No.493 of 2023 for the cancellation of said sale deed. The allegation being purely civil in nature and the petitioner being witness to the said



sale deed and no case of forgery is made out against him, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court 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 learned Judicial Magistrate, Patna in connection with Complaint Case No. 7773 of 2023, subject to the conditions as laid down under Section 482(2) of the BNSS.

**8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.**

**(Purnendu Singh, J)**

Ashishsingh/-

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