

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30201 of 2025

Arising Out of PS. Case No.-6567 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Sunil Das Son of Late Kashi Nath Das village- C/o- Minoti Das, Flat No. 404,
Jugal Mansion Apartment, Milan Lane, Kankarbagh Main Road, Near State
Bank of India, Lohia Nagar, Ps- kankarbagh, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Kumar Sinha son of Late Kapileshwar Prasad Sahay village- Slum
36, Kankarbagh colony, Near Panch Mandir, Lohia Nagar, Ps- Kankarbagh,
Dist- Patna

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nagadeo Choubey, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Complaint Case No. 6567 (C) of 2023, lodged under
Sections 323, 387, 406, 420, 467, 120(B) of the Indian Penal
Code and cognizance has been taken under Section 420 and 34
of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
five named accused persons including the present petitioner in
which cognizance has been taken under Section 420B/34 of the
Indian Penal Code. The allegation in the complaint is that



accused persons have taken money from the complainant for selling of the land created agreement for sale but even after taking money, they refused to execute the sale deed due to which this case has been filed.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that Annexure-3 of the complaint petition is the agreement for sale. Counsel also submits that the name of the vendor in the typed portion, petitioner name is there but in the execution portion, only two persons have instituted the sale deed, one is Nava Kumar Das and another is Milan Chandra. Counsel submits that the petitioner is completely unaware about the said deeds. He further submits that the relevant date is very much apparent which shows that the deed is false and fake. In this regard, he submits that the vendee has executed signature on 20.05.2021 whereas this deed was notarised on 16.05.2021 which indicates the manner in which the complainant has created the deed in which Court has taken cognizance.

5. Counsel submits that the petitioner antecedent is clean and he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

6. Learned APP for the State opposes the prayer for



bail of the petitioner and fairly submits that from the said agreement, the signature of petitioner is not there.

7. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Judicial Magistrate 1st Class, Patna, in connection with Complaint Case No. 6567 (c) of 2023, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

Sudhanshu/-

U		T	
---	--	---	--

