

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.34867 of 2024

Arising Out of PS. Case No.-16 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Ashok Kumar Pal son of Late Satya Pal @ Satyapal Permanent Resident of R.M.S. Colony, Kankarbagh, P.S.- Kankarbagh, Dist.- Patna
 2. Sudhir Kumar son of Late Satya Pal @ Satyapal Permanent Resident of R.M.S. Colony, Kankarbagh, P.S.- Kankarbagh, Dist.- Patna
 3. Binod Kumar Son of Late Satya Pal @ Satyapal Permanent Resident of R.M.S. Colony, Kankarbagh, P.S.- Kankarbagh, Dist.- Patna

... .. Petitioners

Versus

1. The State of Bihar
2. Om Prakash @ Bablu son of Late Mundrika Sharma Resident of Raja Bazar, Bailey Road, Rukkanpura, P.S.- Hawai Adda, Dist.- Patna

... .. Opposite Parties

Appearance :

For the Petitioners : Mr.Surya Swetabh, Advocate
For the Opposite Party/s : Mr.Brajendra Nath Pandey, A.P.P.
Mr. Anurag Pndey, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8 24-02-2025 Heard learned counsel for the petitioners, the State
and opposite party no.2.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 323, 341, 379/420 of the
Indian Penal Code.

3. As per the prosecution case, an agreement was
made between the parties to sell the land bearing Khata No.50,
Plot No.374, Area-35 decimals, situated at Mauza-Adampur,
Danapur, Police Station-Danapur, District-Patna, and thereafter
an amount of Rs. 21.51 lacs was paid an advance money and



rest consideration money was to be paid at the rate of Rs. 16,21,000/- per katha at the time of execution of sale deed. But after agreement, and on receiving advance consideration money of Rs.21,51,000/- petitioners neither executed the sale deed nor did they return the consideration money.

4. Learned counsel appearing for the petitioners submits that these petitioners never executed agreement for sale of land. No cheat of paper has been produced supporting payment of consideration money by the informant to these petitioners. Petitioner no. 3 has also filed a complaint against the present complainant bearing Complaint Case No. 1870/2022. Moreover, dispute is purely of civil nature for which no criminal case is made out against the petitioners.

5. Learned counsel for the State as well as the informant oppose the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of these petitioners is allowed. In the event of arrest/surrender within eight weeks from today, let all the three petitioners, mentioned above, 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 Judicial Magistrate 1st class Danapur in Complaint Case No. 16C/2022, subject to



the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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