

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35885 of 2025

Arising Out of PS. Case No.-1521 Year-2022 Thana- COMPLAINT CASE - PATNA CITY
District- Patna

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Manglam Kumar S/O Shri Arun Singh R/O Jaiwar, P.s.- Gaurichak, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pintu Singh S/O Late Meghnath Singh R/O Jaiwar, P.s.- Gaurichak, Dist.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, App.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 15-11-2025 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Complaint Case No. 1521 of 2022, disclosing
offences under Sections 323, 420, 34 of the Indian Penal Code.

3. As per the prosecution case stated in the
complaint, the complainant is brother of the co-accused, namely
Shiv Pujan Singh, who sold the subject land situated in Khata
No. 227, P.S. No. 128, Mauza- Juzarpur, PS- Gaurichak, District
Patna, on 13.12.2022, having an area of 1 katha, 8 dhur and 12
dhurki in favour of the petitioner. According to the complainant,
the land in question falls in the share of the complainant.



4. Learned counsel for the petitioner submits that petitioner is bona fide purchaser for value of a piece of land from its owner Shiv Pujan Singh, who has been made co-accused in the present complaint. The dispute regarding share between the brothers i.e. complainant and the co-accused Shiv Pujan was not known to the petitioner and one of the brothers of the complainant namely Bablu Singh in his inquiry before the Court has said that land belongs to him as the same falls in his share whereas the complainant, in his SA, has said that the land in question falls in the share of complainant. The allegation made in the complaint at best gives rise to a civil dispute. The petitioner being the purchaser has not committed any offence much less the offence under Section 420 of the IPC.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that the petitioner is a bona fide purchaser for value, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna City, in connection with Complaint Case No. 1521 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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