

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37193 of 2025

Arising Out of PS. Case No.-1399 Year-2024 Thana- PURNIA COMPLAINT CASE District-
Purnia

=====

Dhori Paswan @ Jangali Paswan S/o Late Lalji Paswan R/o vill - Singhiya
Tola, Begam Baad, P.s. - Sadar, Distt.- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sumitra Devi W/o Ranjeet Mandal R/o vill - Begambad, Belwari Tola, P.S.-
Sadar, Distt.- Purnea

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Rabindra Kumar Priyadarshi, Adv. Mr. Dheeraj Kumar, Adv.
For the State	:	Mr.J.N. Thakur, APP
For the Informant	:	Mr. Satyendra Narayan Singh, Adv.

=====

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 25-11-2025 Heard learned counsel for the petitioner as well as the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Complaint Case No. 1399 of 2024, registered for the offences
punishable under Sections 420 of the IPC.

3. The complainant alleges that an agreement entered into
between the parties to sell 45 decimals of land for a consideration
money of Rs. 2,30,000/- and a sum of Rs. 1,05,000/- was given to
the petitioner on 10.05.2021 as an advance money. Later on, it was
detected that the area of land in question, was only 15 decimals.
Legal notice was issued to the petitioner for returning back the
money with interest @ 5% i.e. amounting to Rs. 1,10,000/- but
neither the amount was returned nor the sale deed was registered.



4. The learned counsel for the petitioner has submitted that the agreement was valid only for 11 months, which has elapsed. As a matter of fact, the complainant was not ready and willing to perform her part of the agreement and that is why the sale deed could not be executed within the stipulated period of 11 months . On query made by this Court, the learned counsel for the petitioner has submitted that the petitioner may return the advance money of Rs. 1,05,000/- to the complainant within a period of six months.

5. On the other hand, the learned counsel for the complainant has submitted that if the advance money is paid, the complainant shall withdraw the case.

6. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Purnea in connection with Complaint Case No. 1399 of 2024, subject to the conditions as laid down under Section 438(2) of the CrPC/482(2) of the BNSS, 2023.

7. The petitioner is directed to deposit the bank draft of Rs. 1,05,000/- in the name of the complainant which will be handed over to the complainant after filing of an application for withdrawal of the case within a period of six months.

8. Only after deposit the bank draft of Rs. 1,05,000/-,



the bail bond of the petitioner shall be confirmed. It is also made clear that the complainant will receive the amount/draft only after filing an application for withdrawal of the case.

(Nawneet Kumar Pandey, J)

Nirmal/-

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

