

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36821 of 2025

Arising Out of PS. Case No.-1435 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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Gajendra Singh S/o Ram Janam Singh R/o vill - Darha / Dardha, P.S. - Goh,
Distt.- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Awadhesh Singh S/o Late Kalika Singh R/o vill - Rupaspur, P.s.- Tekari,
Distt.- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar Pandey, Adv.
For the Opposite Party/s	:	Mr. Madan Kumar, APP
For the Informant	:	Mr. Shashikant, Adv.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 25-08-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf of
the informant.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406, 420,
323 and 504 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that Raja Singh inherited property from his maternal side,
but since he is old, hence authorized petitioner to sell his land, it is
next alleged that petitioner requested the complainant to purchase
a piece of land pertaining to Plot Nos. 1460 and 1462 appertaining
to *Khata* No. 72 area 24 decimal, accordingly, the complainant



entered into an agreement with petitioner for purchasing 24 decimal of land from the aforesaid plot for an amount of Rs. 4 Lakhs and the same was paid in cash and by way of bank transfer, but petitioner sold the land to third person and did not return the money of the informant.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the complainant. It is next submitted that petitioner was never authorized by Raja Singh to sell his property. It is also submitted that the informant alleges that petitioner was authorized by Raja Singh for selling his land, but then no documentary evidence in support of the same has been brought on record. It is also submitted that no agreement/agreement paper for sale was entered in between the petitioner and the informant with regard to the aforesaid piece of land. It is next submitted that informant owed an amount of Rs. 2,50,000/- to the petitioner, as such, he accepted the same by way of bank transfer, as far as payment of cash is alleged, the same is denied. It is also submitted that in the event if the informant is of the view that the amount was paid not for discharging any liability, but for some other purpose, in that event the informant can approach a Court of competent civil jurisdiction for recovering the amount, but then by instituting the instant criminal case, the informant is trying to coerce the petitioner into



submission so that the petitioner fulfills the fanciful demand of the informant.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that no document showing that petitioner was authorized by Raja Singh to sell his land was brought on record nor any agreement for sale was entered in between informant and the petitioner with respect to the land aforesaid.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 1435 of 2022 subject to the conditions as laid down under Section 482 (2) of BNSS.

(Satyavrat Verma, J)

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