

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40145 of 2025

Arising Out of PS. Case No.-715 Year-2023 Thana- RUPASPUR District- Patna

Santosh Kumar Bharti @ Santosh Singh S/o Ram Barat Singh R/o Parthoo,
P.S.-Pipra(Punpun), District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Adv
For the Opposite Party/s : Mr. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 04-07-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. This is the second attempt on behalf of the petitioner for grant of regular bail. Earlier, the prayer of the petitioner for grant of bail has been rejected by this Court *vide* order dated 12.05.2025 passed in Cr. Misc. No. 50621 of 2024.

3. The petitioner has preferred this application for grant of regular bail in connection with Rupaspur P.S. Case No. 715 of 2023 registered for the offences punishable under Sections 406, 420, 506, 415, 467, 468, 120B/34 of the I.P.C. and Section

4. As per the prosecution case, the petitioner and another co-accused has sold a land bearing Khata No.162,



Khesra No.1155 to the informant Akash Kumar alleged to be a purchased land of the co-accused Sunita Devi through sale deed No. 8256 and a power of attorney was also executed by Sunita Devi in favour of his son Navin Kumar on 09-02-2021 and said co-accused Navin Kumar executed a sale deed in respect of one katha ten dhoors @ Rs. Forty lacs per katha and the informant paid consideration amount of Rs. Sixty lacs out of which Rs. Fifty lacs through demand draft to Navin Kumar while Rs. Ten lacs were paid to the petitioner Santosh Bharti @ Santosh Singh and his wife Pinki Devi through NEFT. The informant further gave Rs. Ten lacs to other co-accused through cash in different transactions of Rs. 20 thousand to 25 thousand and the informant took the said money as loan from Bank and his friends and family members. The informant also took loan from the Bank of Baroda and has already paid Rs. Eight lacs through EMI in this regard. It has been further alleged that the informant got the land mutated in his name and started construction of boundary wall of the said land, but some persons came and damaged the underconstruction work and caused loss to the informant of Rs. 15 lacs. The informant went at the place of occurrence and got knowledge that there were many claimants of his purchased land. Through enquiry in Registry Office,



Patna, and Danapur, it was revealed to the informant that the said land was purchased by Sunita Devi from one Chunnu Kumar and she was put in possession of the said land and then she executed power of attorney in his son's name and she herself sold the said land to the different persons and no land remained for sale. Thereafter, her son Navin Kumar sold the said land to the informant and in this way the accused Sunita Devi and her son Navin Kumar and other co-accused including the petitioner cheated the informant and grabbed Rs. Sixty lacs from him and further caused loss to the informant of Rs. Thirty Nine lacs due to their said act. When the informant demanded his money from the petitioner Santosh Bharti @ Santosh Singh, the accused Pinki Devi, Sunita Devi and Navin Kumar, they all threatened to kill him.

5. Learned counsel for the petitioner submits that the present application has filed in pursuance to the order dated 12.05.2025 passed in Cr. Misc. No. 50621 of 2024 whereby the petitioner was granted liberty to renew his prayer for bail once the charges are framed. It is next submitted that the charges have already been framed against the petitioner on 20.05.2025 which has been brought on record by way of Annexure -P/13 series. It is lastly submitted that the petitioner has seven criminal



antecedents and is in custody since 24.02.2024.

6. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid submissions of the parties and taking into account the fact that the charges have already been framed, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna, in connection with Rupaspur P.S. Case No. 715 of 2023, subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be



delayed for purpose of or in the name of verification.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Senior Superintendent of Police, Patna within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Senior Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Senior Superintendent of Police, Patna, a certificate will be filed by the petitioner before the court concerned.

8. The application stands allowed.

(Sourendra Pandey, J)

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