

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43168 of 2025

Arising Out of PS. Case No.-30 Year-2025 Thana- MORO District- Darbhanga

Sanjay Chaudhary Son of Late Kusheshwar Chaudhary village- Patori, Ps-
Moro, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 23-07-2025

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Moro P.S. Case no. 30 of 2025 registered for the offence punishable under sections 316(2), 318(4), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that the land in question was purchased by him by a registered sale deed executed by the petitioner in his favour on 4.2.2021. Subsequently, it transpired that as a result of conspiracy the informant's brother had executed another registered sale deed with respect to the property in favour of his nephew Pankaj Chaudhary.

4. Learned counsel for the petitioner submits that



the petitioner has been falsely implicated in the case. The allegations are primarily one of civil dispute between the parties so far as transaction of sale is concerned having received the property in question in a family partition. While the petitioner executed a registered sale deed dated 4.2.2021 in favour of the informant, on the same date another sale deed was executed with respect to an immovable property by the informant in favour of the petitioner's wife, the sale deed having been brought on record as Annexure-2 to the petition. It is further submitted that the transaction having taken place as far back as on 4.2.2021, the instant case has been lodged by the informant with false and incorrect allegations more than 4 years later on 16.4.2025. The petitioner undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R. against the petitioner, the dispute between the parties primarily being civil in nature together with the FIR having been registered more than 4 years after the execution of the sale deed in February, 2021, it is directed that the petitioner above named,



in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Moro P.S. Case no. 30 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Darbhanga.

7. It is made clear that any observation made by this Court herein above with respect to the dispute between the parties etc. are only for the purpose of the instant bail application and shall not be used by either of the parties at any other stage of the criminal proceeding/trial.

(Partha Sarthy, J)

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