

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53410 of 2025

Arising Out of PS. Case No.-6727 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Ajay Yadav Son of Late Gopal Prasad Yadav R/V- Mohrani pur Post-Begampur PS -Khajekalan District- Patna
 2. Sujeet Kumar son of Late Gopal Prasad Yadav R/V- Mohrani pur Post-Begampur PS -Khajekalan District- Patna
 3. Mukesh Kumar son of Late Gopal Prasad Yadav R/V- Mohrani pur Post-Begampur PS -Khajekalan District- Patna
 4. Mithlesh Kumar son of Late Gopal Prasad Yadav R/V- Mohrani pur Post-Begampur PS -Khajekalan District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Syed Asgher Najmi, Adv.
For the Opposite Party/s	:	Mr. Vinod Shanker Modi, APP
For the Complainant	:	Mr. Ranjeet Kumar, Adv.
		Mr. Harsh Vardhan, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-08-2025 1. Heard learned counsel for the petitioners, learned A.P.P. for the State and the learned counsel appearing on behalf of the complainant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420 and 406 of the Indian Penal Code.

3. The learned counsel appearing on behalf of the complainant, at the outset, submits that he has appeared *suo motu*. It is also submitted that petitioners are seeking



anticipatory bail in a complaint case in which cognizance has been taken, but then petitioners for reasons best known did not implead the complainant as O.P. No. 2.

4. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the complainant alleges that he agreed to purchase 1.25 kattha of land for an amount of Rs. 39 Lakhs and an agreement was made on 15.12.2021 with an initial payment of Rs. 15 Lakhs, the agreement stipulated that the land would be registered within six months, but the land was not registered despite petitioner paying an amount of Rs. 52,97,000/- through cheque and cash.

5. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the complainant. It is next submitted that complainant in the complaint petition alleges that he entered into an agreement for sale with respect to a piece of land with one Gopal Prasad, but then signature of Gopal Prasad is not there on the agreement for sale which casts an aspersion on the allegations alleged by the complainant. It is also submitted that petitioners have no concern with the agreement which the complainant is alleged to have entered with Gopal Prasad.

6. The learned counsel appearing on behalf of the



complainant submits that Gopal Prasad was the *Karta* of the family and was bed ridden, as such, the agreement was entered in his name, but then the same was signed by one Sanjay Kumar who was next in the line. It is also submitted that an amount of Rs. 52,97,000/- has been paid by the complainant to the accused persons including the petitioners, but in parts as directed by Sanjay. It is submitted that in the account of the petitioners also, different amounts have been credited.

7. The learned counsel appearing on behalf of the petitioners does not dispute the said submission of the learned counsel appearing on behalf of the complainant that some amount has been credited in the account of the petitioners by the complainant.

8. The learned counsel appearing on behalf of the complainant next submits that of late, the price of the land in the State of Bihar has skyrocketed, as such, many fraudulent transactions are taking place and innocent persons are cheated in the manner as alleged in the instant complaint petition. It is reiterated and submitted that since the property belonged to the joint family, as such, the petitioners on direction of Sanjay had credited different amount in the account of the petitioners and other accused persons, but then instead of registering the land,



the land has been sold by Gopal Prasad, the father of the petitioners to one Priya Kumai.

9. After hearing the learned counsel for the parties and taking into consideration the fact that the learned counsel for the petitioners does not dispute the submission made by the learned counsel appearing on behalf of the complainant that money was credited in the account of the petitioners also and the land has been sold by their father, as such, the Court is not inclined to extend the privilege of anticipatory bail to the petitioners, accordingly, **the instant anticipatory bail application stand rejected.**

(Satyavrat Verma, J)

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