

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53430 of 2024

Arising Out of PS. Case No.-1218 Year-2022 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Suman Kumar S/o Jay Narayan Mahto R/o vill - Mushapur Dih, ward no. 5,
P.S. - Samastipur Town, Distt.- Samastipur

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Nidhi Kumari W/o Dharmendra Kumar R/o vill - Kashipur, ward no. 2, P.S.
- Samastipur Town, Distt. - Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar , Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 09-01-2025 Heard learned counsel for the petitioner and the

State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 420 and 504 of the Indian
Penal Code .

3 . As per the prosecution case , complainant
purchased a piece of land from petitioner, for which she
transferred an amount of Rs. 25,50,000/- by RTGS in the



account of mother-in – law of petitioner. It is further alleged that when the complainant went to the plot, one Manoj Kumar stopped her and claimed that the land belong to him for which a Title Suit No 59 of 2018 is also pending and as such petitioner committed fraud.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has falsely been implicated in this case . As a matter of fact, after execution of the sasle deed complainant applied for mutation of the land in question before the Circle Officer Samastipur Sadar which was allowed in her favour without any objection . Moreover, petitioner has no knowledge that for the same piece of land Title Suit No. 159 of 2018 is pending. Admittedly , the dispute involved in this case is primarily civil in nature .

5 . Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the fact that the dispute involved in this case is primarily civil in nature and other circumstances of the case, in the event of arrest or surrender within eight weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the



learned Chief Judicial Magistrate District Samastipur in connection with Complaint case No. 1218 of 2022 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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