

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52963 of 2025

Arising Out of PS. Case No.-274 Year-2024 Thana- NAGAR District- Vaishali

1. Abhishek Saha S/O Asit Saha R/o Flat No 5H, Aangan, 14 Dumdum Road, P.S.- Nagerbarzar, Distt.- North 24 Pargana, West Bengal. Address as mentioned in the FIR R/O Vaishali Hajipur, P.S- Town, Distt.- Vaishali.
2. Narendra Kumar @ Narendra Pandey S/O Jai Bansh Pandey R/O AF Block, CPWD GPRA, Quarter No. 452, Salt Lake, Baisakhi, P.S- Bidhan Nagar (N), Distt.- North 24 Pargana (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Singh, Advocate
For the Opposite Party/s : Mr. Ahmad Ali , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-08-2025 Heard learned counsel for the petitioners and the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 406 and 420 of the Indian Penal Code .

3 . As per the prosecution case, informant namely Vinod Kumar Das alleged that informant was introduced to accused Pankaj Paswan who along with these petitioners assured informant to provide land and accordingly, informant agreed upon the same and Rs. 58,25,000/- was to be paid by the informant to purchase a land of one Ms. Sunaina. It is further alleged that the informant paid Rs. 26,40,000/- through RTGS,



Rs. 5,10,000/- in cash and again Rs. 5,10,000/- In the account of Sunaina devi and gave Rs. 26,75,000/- to one Pankaj Kumar Paswan but in the sale deed only Rs. 26,43,000/- was shown. It is further alleged that when informant asked about the possession of property from co-accused Pankaj Kumar Paswan, he kept delaying the same and on mutation, he found no land left in the name of Sunaina devi and thus accused persons committed fraud of Rs. 58,25,000/- from informant.

4. It is submitted on behalf of the petitioners that petitioner is No. 1 is posted as Assistant Audit Officer and petitioner No. 2 is posted as senior Audit Officer in he Office of Director General of Audits (MINES) Kolkata . It is further submitted that petitioner were not beneficiary in the alleged transaction and had not received any money from informant. Petitioners are neither vendor nor vendee and they were also not identifier or witness to the alleged sale deed. Petitioners have got no concern with the alleged occurrence . It is not the case of the prosecution that any money was transferred in the account of these petitioners. Moreover, the dispute involved in this case is with regard to sale and purchase of land which is purely civil in nature . Petitioner claims clean antecedent.

5. Learned counsel for the State opposed the bail



petition.

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within eight weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the CJM Vaishali (Hajipur) in connection with Hajipur (Town) P.S. Case No. 274 of 2024 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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