

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60332 of 2025**

Arising Out of PS. Case No.-5167 Year-2021 Thana- PATNA COMPLAINT CASE District-  
Patna

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Ajay Kumar @ Ajay Kumar Singh S/o Binod Kumar Singh R/o Village -  
Brahmpur, P.S - Ramkrishna Nagar, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalit Kumar S/o Sri Braj Raj Prasad R/o Village - Udaini, P.S - Gopalpur,  
District - Patna Presently residing at Mohalla - Telephone Colony, A.D.M  
Road, Near Mangal Chauk, Khemnichak, P.S - Ramkrishna Nagar, District -  
Patna

... .. Opposite Party/s

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**Appearance :**

|                            |   |                                                                                                                                          |
|----------------------------|---|------------------------------------------------------------------------------------------------------------------------------------------|
| For the Petitioner/s       | : | Ms. Rasika, Advocate<br>Ms. Priti, Advocate<br>Ms. Jyoti Singh, Advocate<br>Mr. Arvind Kumar, Advocate<br>Mr. Janmejay Girdhar, Advocate |
| For the Opposite Party/s : |   | Mr. Manoj Kumar, APP                                                                                                                     |

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      09-09-2025                      Heard learned counsel for the petitioner and the  
  
State.

2. Petitioner apprehends arrest in a case registered for  
the offences punishable under Sections 406, 420 and 120(B) of  
the I.P.C.

3. As per the prosecution case, pursuant to an  
agreement for sale executed between the parties, the  
complainant paid a total sum of Rs. 35,50,000/- to accused Ajay  
Kumar. On 15.02.2018, when the complainant requested the  
accused persons to execute the sale deed, they refused on one  
pretext or another. Thereafter, the accused persons, in  
conspiracy, executed a *Darbaibeyana* (re-agreement for sale)  
deed in respect of a wrong *khata* and plot number. On



demanding refund of the aforesaid amount, the petitioners not only refused to return the money but also allegedly threatened the complainant with dire consequences.

4. Learned counsel for the petitioner submits that, as alleged in the complaint, the complainant had given several cheques to the petitioner, but no consideration money was ever received. The petitioner has annexed his bank statement for the period 01.03.2018 to 31.12.2019 to substantiate the same. He further submits that the petitioner had given Rs. 13,25,000/- as loan to the complainant, and in return the complainant issued a cheque in his favour, which was dishonoured and then this petitioner has also lodged an F.I.R. against the complainant vide Ramkrishna Nagar P.S. Case No. 240 of 2020 in which charge-sheet has been submitted. In retaliation, this false case has been lodged against this petitioner to harass him.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the backdrop of the case, nature of accusation, case and counter-case between the parties and other circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight



weeks from today, 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 learned C.J.M., Patna in connection with Complaint Case No. 5167(c) of 2021, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

**(Prabhat Kumar Singh, J)**

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