

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63741 of 2024

Arising Out of PS. Case No.-182 Year-2022 Thana- DANAPUR District- Patna

Yashwant Kumar Singh @ Yashwant Kumar Son of Late Shyam Lal Singh
Resident Of Road No. 25B, Rajiv Nagar, P.S. -Rajiv Nagar, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ajay Narayan Rai Son of Janeshwar Rai R/O Rampur, Gadikhana, P.S.-
Khagaul, Dist.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Syed Firoz Raza, Advocate
For the State	:	Mr. Umeshanand Pandit, APP
For Opposite Party No.2	:	Mr. Upendra Ujjwal, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 16-01-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 406, 420, 427, 452, 467, 468, 471 and 34 of the Indian Penal Code.

3. As per prosecution case, despite taking consideration money from the informant/Opposite Party No. 2, this petitioner, along with other accused persons, did not execute the sale deed in favour of the informant and also refused to return the money.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has falsely



been implicated in this case. As a matter of fact, informant/Opposite Party No. 2 paid an amount of Rs. 25,72,000/- for purchasing the land situated at District- Patna, Thana No. 40, Tauzi No. 5664, Khata No. 606, Plot Nos. 298 and 243. Subsequently, a sale deed was executed by the landlady, namely Kiran Devi, in favour of client of the complainant after receiving the entire amount. It is further submitted that the land owner has got only Rs. 21,00,000/- and rest of the amount of Rs. 4,72,000/- was being demanded by the informant/Opposite Party No. 2 from all the accused persons and on 10.01.2025, petitioner has already deposited a sum of Rs. 1,50,667/- through N.E.F.T. in the account of the informant/Opposite Party No. 2. Moreover, the dispute is civil in nature.

5. Learned counsel appearing on behalf of the informant/Opposite Party No. 2 does not dispute the contentions raised on behalf of the petitioner and confirms the fact that the informant/Opposite Party No. 2 has received a sum of Rs. 1,50,667/- from this petitioner.

6. Considering the aforesaid facts and circumstances, nature of dispute and the fact that petitioner has already given the disputed amount to the informant/Opposite Party No. 2, the



prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 A.C.J.M.-I, Danapur, Patna, in connection with Danapur P.S. Case No. 182 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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