

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60893 of 2025

Arising Out of PS. Case No.-523 Year-2024 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. Kumari Rani Wife of Dr. Neelmani @ Neelmani. Resident of Village- Lalgarh Yogiya, P.S. Shyampur Bhatha, District- Sheohar, presently residing at Mohalla- Ward No.14, Nagar Nigam Hospital Road, Police Station and District- Sitamarhi
 2. Dr. Neelmani @ Neelmani Son of Sri Arun Kumar Singh. Resident of Village- Lalgarh Yogiya, P.S. Shyampur Bhatha, District- Sheohar, presently residing at Mohalla- Ward No.14, Nagar Nigam Hospital Road, Police Station and District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. Rajkali Devi Wife of Late Ramrup Sah Resident of Ward no. 23(old), New-14, Hospital Road, Nagar Nigam, Sitamarhi, Police Station and District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh, Advocate
For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-09-2025 Heard the parties.

2. The petitioners are apprehending arrest in connection with Complaint Case No. CI-523 of 2024, Trial No. 1810 of 2025 instituted under Sections 406, 420, 506, 504/34 of the Indian Penal Code.

3. As per the prosecution story, the informant alleged that for a piece of land, the same was settled for Rs. 60 lakh. The allegation is that the complainant paid Rs. 48,00,000/- through RTGS on 09.07.2021, cash of Rs. 1,00,000/- and



thereafter, another deposition of Rs.7,00,000/- as registration fee. However, when the matter went before the Registrar, the petitioners remained absent and chose not to answer to the calls. Upon request, the money was not returned which followed the Case.

4. Learned counsel for the petitioners at the outset submit that they are the persons with respect in the society, under bond-fide belief, wanted transfer of the land, it however could not materialize. However, irrespective of the outcome of the present case and/or accepting the allegation, the petitioners are ready to pay back Rs. 56,00,000/- in favour of the informant through Demand Draft issued by the local branch of the State Bank of India to be submitted before the concerned Court and to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer stating that they have criminal antecedent of the same nature.

6. Considering the submissions of the parties as also the opposition to the anticipatory bail application by the learned APP, at first stance, this Court wanted rejection of the petition as the petitioners have criminal antecedent, as reflect from para-3. However, now that the petitioners are ready to return the amount as alleged in the case, FIR is there, shall be facing the



music, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs. 56,00,000/- in favour of the informant through Demand Draft issued by the local branch of the State Bank of India to be submitted before the concerned Court to be handed over to the informant after checking the credential.

7. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Complaint Case No. CI-523 of 2024, Trial No. 1810 of 2025 to the satisfaction of learned C.J.M., Sitamarhi subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the



investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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