

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61220 of 2024

Arising Out of PS. Case No.-125 Year-2024 Thana- RAFIGANJ District- Aurangabad

Md Junaid Alam Son of Doctor Sultan Ahmad Resident of Purani Karimganj,
P.S.- Civil Lines, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vinod Saw Son of Bacchu Saw Resident of Charkanwa Mahmud, Ward No. 14, P.O. and P.S.- Rafiganj, District- Aurangabad.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 63295 of 2024

Arising Out of PS. Case No.-125 Year-2024 Thana- RAFIGANJ District- Aurangabad

Sanjay Kumar Ambedkar Son of Rajendra Ram Resident of village -
Palnagar, Ward No.- 08, P.S.- Rafiganj, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 61220 of 2024)

For the Petitioner/s : Mr. Rashid Izhar, Advocate

For the Opposite Party/s : Mrs. Nirmala Kumari, APP

(In CRIMINAL MISCELLANEOUS No. 63295 of 2024)

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

4 19-03-2025 Both Cr. Misc. applications have arisen out of the same occurrence and as such they have been heard together and are being disposed of by passing this common order.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners are apprehending their arrest in connection with Rafiganj P.S. Case No. 125 of 2024 for the



offence under Sections 323, 341, 420, 406, 34 and 120B of the I.P.C.

4. As per the prosecution story, the petitioner along with other co-accused proposed the informant to purchase 12 decimals of land at the cost of Rs. 24,00,000/-. Thereupon, the complainant made allegation that on 08.03.2022 he issued a cheque of Rs. 10,00,000/- and on 06.03.2022 another cheque of Rs. 8,90,000/- to petitioner and another co-accused persons in presence of witness. Further, it is alleged that the accused persons denied to execute the sale deed and also to pay the advance money as paid by the informant to the petitioner and other co-accused.

5. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and he has falsely been implicated in the present case by the informant to settle the personal scope as the petitioner became a *Panch* of local area. The petitioner is assigned no role in the present F.I.R. except by naming the petitioner in the column of accused persons as the last accused. The main accused, namely, Sanjay Kumar Ambedkar was brought to the Panchayat in which petitioner was also one of the *Panch* to settle the dispute, but when the *Panch* decided the dispute, it was not liked by the



informant and he targeted the petitioner also for framing in this case. Petitioner in not even alleged to have participated in the negotiation or preparation of so called agreement. Learned counsel further submits that no money is transferred in favour of the petitioner nor has any information of any transfer in presence of the petitioner. Learned counsel also submits that these petitioners are neither the owner of the said land nor they have received any money from the informant/complainant.

6. Learned counsel for the informant submits that the amount paid through cheque in the account of one of the co-accused, namely, Fakre Alam and cash was given to the Sanjay kumar Ambedkar.

7. Learned counsel appearing on behalf of Sanjay Kumar Ambedkar stated that the informant is an agent of Welfare Building and Estates Pvt. Ltd. And on 15.01.2020, the petitioner had given a sum of Rs. 6,00,000/- to the informant for creating a fixed deposit in said welfare company, but the informant has provided only two welfare bond bearing no. 24944 and 24943 of Rs. 1,00,000/- each and claimed to have lost the welfare bond paper for remaining amount. For the above, the informant has also executed an agreement dated 25.05.2023 in favour of petitioner to bring lost bond papers



from head office.

8. Learned APP opposes the prayer for bail.

9. After going through the entire case record, it appears that this is a matter of purely civil dispute, keeping in view the aforesaid facts and submission made on behalf of the learned counsel for both the parties, this Court is inclined to extend him the privilege of anticipatory bail.

10. Let the petitioner be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – IV/learned Chief Judicial Magistrate, Aurangabad, in connection with Rafiganj P.S. Case No. 125 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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