

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58988 of 2025

Arising Out of PS. Case No.-1282 Year-2018 Thana- COMPLAINT CASE - DANAPUR
District- Patna

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1. Nitu Devi W/o- Dilip Kumar Village- Dichit Chak Samsara PS- Sadishopur District- Patna
 2. Dilip Kumar S/o- Lalu Sao Village- Dichit Chak Samsara PS- Sadishopur District- Patna

... .. Petitioners

Versus

1. The State of Bihar
2. Randhir Ranjan S/o- Baleshwar Prasad Singh Mohalla- Nawa Vikash Lane, Ashiyana Nagar PS-Rajiv Nagar District- Patna

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Rakesh Singh, Advocate
For the State	:	Mr. Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

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

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Complaint Case No. 1282 (c) of 2018, filed for the offences punishable under Sections 406, 420, 467, 468, 120B, 323, 327, 384, 504, 506 and 34 of the Indian Penal Code.

3. As per allegation, co-accused Awadesh Kumar, Pintu Kumar and Nawab are land brokers and in association with co-accused, Vindhayachal Tiwari, they do business of sale and purchase of land. The complainant was interested to



purchase a land which happened to be the property of the petitioner No. 1, Nitu Devi. As per further case of the complainant, the co-accused (land brokers) took the complainant to the owner of the land, Nitu Devi and her husband, Dilip Kumar, who is also co-petitioner and both the petitioners admitted that they have to sell their land which is in the name of the petitioner, Nitu Devi and thereafter, the complainant has made part payment of Rs. 28 lakh to the co-accused, Vindhayachal Tiwari against receipt issued by him to the complainant.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have been falsely been implicated in this case. He further submits that it is a fact that the land in question belongs to the petitioner, Nitu Devi. However, there is no direct negotiation with the complainant for selling the land, nor they have received any single paisa towards consideration of sale of the land. Hence, there is no contract between the petitioners and complainant in regard to the sale of the land, nor is any claim of the complainant that he has paid a single paisa to the petitioners. Even as per the allegation, money has been paid to the co-accused Vindhayachal Tiwari and not to the petitioners.



5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the fact that there is no direct negotiation between the complainant and the petitioners with regard to the sale of the land, nor any payment has been paid by the complainant to the petitioners., **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Complaint Case No. 1282 (c) of 2018, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court



below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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