

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67391 of 2024

Arising Out of PS. Case No.-331 Year-2022 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Suresh Singh son of Late Baiju Mahto Village- Sahangi, P.S. Garhanai, Distt. Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Urmila Devi Wife of Radheshyam Giri village- Bhaluai Ps- Nokha Dist- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 09-04-2025 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the O.P. No.2.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 420, 406 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and from perusal of the allegation as alleged in the complaint, it would manifest that the dispute is purely civil to which a criminal colour has been given. It is next submitted that in sum and substance the allegation as alleged in the complaint is that the father of this



petitioner and the petitioner were known to the complainant and the father of the petitioner had executed a sale deed with respect to his land in favour of the complainant for an area of 12.5 decimal and the land also got mutated after purchase but when the complainant went on the P.O., she discovered that the land in the said Khesra was only 9.5 decimal as such the sale deed which was executed by the father of the petitioner though was executed for 12.5 decimal of land but then the land was only 9 decimal, as such, the father of the petitioner had assured the complainant that the rest 3.5 decimal of the land shall also be sold to her but later he died and it is alleged that this petitioner got a sale deed executed by the complainant with respect to 3.5 decimal of land. The learned counsel submits that even the petitioner has already executed a sale deed with respect to 3.5 decimal of land but then it is submitted that whether in the nature of allegation as alleged in the complaint a criminal case is made out.

4. Learned A.P.P. for the State and the learned counsel appearing on behalf of the O.P. No.2 opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the



event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No.331C/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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