

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62232 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Alok Kumar Singh S/o Late Shiv Kumar Singh R/o Village - Jabra, P.S -
Nokha, District - Rohtas At present R/o Mohalla - South Park, Type - H - 6/11
Bistupur, District - Singhbhoom, Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Hanuman Prasad S/o Late Raghu Prasad R/o Village - Jabra, P.S - Nokha,
District - Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

Mr. Chhotelal Mishra & Miss Jyoti, Adv.for OP-2

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioner, State and
complainant/opposite party no. 2.

2. The petitioner apprehends his arrest in a complaint
case punishable for the offence under Section 318(4) of B.N.S.,
2023.

3. It is alleged that after receiving total consideration
amount of Rs. 29 lakhs, the petitioner refused to execute the
sale-deed in favour of complainant/opposite party no. 2.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has committed no offence. The
dispute is purely of civil nature, however the complainant has
given the colour of criminal offence only with a view to settle



the civil dispute. The complainant has already filed a suit before the competent civil court. However, by way of referring to paragraph – 14 of the bail petition, learned counsel for the petitioner submits that petitioner has received **Rs. 21 Lakhs** only from the complainant in his bank account, which he is ready to refund in easy installments, for which, learned counsel for the opposite party no. 2 does not oppose.

5. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of eight weeks from today, 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 Chief Judicial Magistrate, Rohtas at Sasaram in connection with Complaint Case No. 35 of 2025, subject to condition as laid down under Section 482 of the B.N.S.S. with further following conditions:

“(A) At the time of furnishing bail-bond, the petitioner shall pay **Rs. 7,00,000/-** (Seven Lakhs) through demand draft to complainant and receipt of the same shall be furnished with bail-bond.

(B) Rest amount i.e. **Rs. 14,00,000/-** (Fourteen Lakhs) shall be refunded in two equal installments of **Rs. 7,00,000/-** (Seven Lakhs) each



within a period of six months from the date of furnishing bail-bond.

(C) If petitioner fails to comply the direction of this Court, the learned Court below would be at liberty to cancel the bail-bond of the petitioner.”

6. This order has been passed, without going into the merit of the case, only for the purpose of considering the prayer for anticipatory bail of petitioner.

(Prabhat Kumar Singh, J)

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