

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70263 of 2024

Arising Out of PS. Case No.-2879 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

=====

Vijay Kumar Prasad @ Vijay Kumar S/o- Lat Sudarshan Prasad Resident of
Vijay Niwas Near life style Show Room Chandan Steel Rajendra Path, P.S.
Gandhi Maidan, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nagendra Singh @ Nagendra Kumar Singh Son of Late Yamuna Singh R/o-
Daulatganj Ps- Bhagwan Bazar Dist- Chhapra

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-01-2025 Heard learned counsel for the petitioner and

learned APP for the State.

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

3. As per prosecution case, the complainant entered
into an agreement with the petitioner and gave Rs. 22 lakh for
purchasing a property but neither the petitioner executed the
sale deed nor returned the alleged money.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that he is innocent and has committed no
offence as alleged. The petitioner has filed Eviction Suit No. 61



of 2024 pending before Civil Judge Senior Division -I, Patna against one Rajendra Sharma who is business partner of Opposite party No. 2 and in order to put pressure to not proceed in the aforesaid case , this present false and concocted case has been lodged. He further submits that the dispute is purely civil in nature with respect to sale and purchase of property between the parties. Even if the allegation are accepted to be true, these petitioners cannot be said to have committed any offence of cheating or criminal breach of trust.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner 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 Additional Chief Judicial Magistrate-X, Patna in connection with Complaint Case No. 2879(C)/2021 subject to condition as laid down under Section



438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Amandeep/-

U		T	
---	--	---	--

