

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67782 of 2025

Arising Out of PS. Case No.-1039 Year-2024 Thana- GAYA COMPLAINT CASE District-
Gaya

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Baleshwar Yadav S/O Karu Mahto @ Karu Yadav R/O Vill.- Ramna Tola,
Telbigha, P.S.- Belaganj, Dist.- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Sarda Rani Singh W/O Late Sarju Prasad Singh R/O Vill.- Ramna, P.S.-
Belaganj, Dist.- Gaya At Present residing at Flat No. 356 4th Floor, Om Sai
Apartment Asha Singh More, P.S.- Rampur, Dist.- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar Yadav, Adv.
For the State	:	Mr.Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-10-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 318(4) of
BNS Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that petitioner was employed as Care taker of the house
and land of the informant measuring 3 *bigha*. Further had agree
to divide 50% of the produce, further, petitioner took an amount
of Rs. 20 Lakhs with an assurance to return with interest but did
not return the amount nor paid the electricity dues of the house



and when he was confronted the petitioner threatened and tried to strangle her.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant on account of dispute relating to sharing of produce of the land. It is next submitted that petitioner was employed by the informant as a Manager and he was looking after the house and the land of the informant but since a dispute arose with regard to sharing of produce as such, the instant false case came to be instituted with an allegation that petitioner took an amount of Rs. 20 Lakhs by way of advance from the informant but then the F.I.R. does not disclose as to when the said amount was given to the petitioner. It is asserted and submitted that a supplementary affidavit has been filed wherein it has been specifically pleaded that petitioner is not residing in the house of informant and the electricity dues, if any, has to be cleared by the informant herself. It is next submitted that the dispute appears more civil in nature than criminal.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner and taking into consideration the fact



that the petitioner in supplementary affidavit has stated that he does not reside in the house of the informant, as such, the petitioner above-named, in the event of his arrest or surrender before the learned trial court 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 Complain Case No. 1039 of 2024 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. Office is directed to locate the supplementary affidavit filed on behalf of the petitioner and annexe the same with the records of the case.

8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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