

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70685 of 2025

Arising Out of PS. Case No.-2330 Year-2019 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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ASHISH KUMAR Son of Late Pradeep Kumar @ Khokha Paswaan Resident
of Village - Parghadi Ward No.- 02 Sabur, P.S.- Sabur, District - Bhagalpur,
Pin - 813210.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deepak Kumar Son of Shivendra Yadav Resident of Village - Lailakh, P.S.-
Sabur, Dist.- Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar Choubey
For the Opposite Party/s : Ms. Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-11-2025 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 406, 323
of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the instant case by the complainant. It is next
submitted that in sum and substance the allegation is that
complainant alleges that for purchasing 3 kathas of land he had
given Rs.6 lacs to the petitioner, out of which, some amount was
credited in his account but the land was not registered in his



favour.

4. Learned counsel for the petitioner submits that complainant in the complaint alleges that in between 2011 to 2017, he had transferred an amount of Rs.6 lacs but then from perusal of the complaint petition, it would manifest that the same does not even remotely disclose the land which the complainant intended to purchase. It is also submitted that in the event if what is being alleged by the complainant is true, in that event, he has a remedy before an appropriate Court of civil jurisdiction where petitioner will also get an opportunity to rebut his submission but then the complainant instead of resorting to the procedure envisaged under the law has filed a criminal case in order to coerce the petitioner into submission so that petitioner under fear of arrest parts with the fanciful demand of the complainant.

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, 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.2330/2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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