

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75214 of 2024

Arising Out of PS. Case No.-922 Year-2023 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

Indrachand Singh Son of Late Lal Bahadur Singh Resident of Village- Takiya,
Police Station- Sasaram Town, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Kumar Singh Son of Late Rup Narayan Singh R/O Vill.- Rupipur, Post- Rophatha, P.S.- Nokha, Dist.- Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-02-2025 Heard learned counsel for the petitioner and
the State .

2. Petitioner apprehends arrest in a case registered for the offence punishable under section 420 of the Indian Penal Code .

3 . The prosecution case in short is that, the complainant namely Sanjay Kumar Singh alleged that complainant along with witness No. 1 jointly entered into an agreement for sale with father of accused persons, namely Lal



Bahadur Singh on 2.12.2016 for purchasing land (Khata No. 236, plot No. 12, measuring 16 decimals) for Rs. 72 lakhs. It is further alleged that both accused persons signed the agreement along with their father. The complainant further claims to have paid Rs. 2 lakhs to the accused persons through cheque No. 538946 & 538947 and subsequently Rs. 52.17 lakhs through cheque , cash and RTGS. It is further alleged that after the death of their father, the complainant requested the execution of the sale deed, but the accused persons delayed the process, citing their father's death anniversary . Meanwhile , they continued to receive payments through cheque , cash and RTGS. The complainant further alleged that the accused persons, without any prior intimation , sold the said land to another party .

4. Learned counsel for the petitioner submits that the father of this petitioner entered into an agreement for sale of land on 02.12.2016 with the complainant and witnesses No. 01 for sale of land Khata No. 236 Plot No. 12 measuring about 16 Decimal with consideration of Rs. 72.00 lacs and petitioner and his brother put their signature . It is further submitted that on the request of opposite party No. 2 this petitioner and his brother became witnesses to the agreement for sale dated 02.12.2016 as property was recorded in the name of ancestor. Thereafter,



opposite party no. 2 paid a sum of Rs. 2.00 lacs to the father of the petitioner by way of cheque, which was withdrawn by him in lieu of taking an advance on the consideration, but opposite party No. 02 Started avoiding further payment at the time on the plea that suitable customers are not available for scheduled land. Petitioner is not the beneficiary of the transaction. He has not received a single penny, and he has falsely been implicated in this case because he happens to be the son of Lal Bahadur Singh and a witness to the agreement to the sale deed. It is further submitted that it is out and out a case of civil nature, and the petitioner claims clean antecedent. Similarly situated co-accused persons has already been granted bail by this Court vide order dated 01.10.2024 in Cr. Misc No. 59109 of 2024 .

5 . Learned counsel for the State opposed the bail petition .

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let this petitioner, as named above, 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 the learned Chief Judicial Magistrate, Rohtas, Sasaram in connection with Complaint Case No. 922 of 2023, subject to the



conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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