

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72832 of 2025

Arising Out of PS. Case No.-5150 Year-2024 Thana- PATNA COMPLAINT CASE District-
Patna

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Sanjay Kumar Das S/O Arjun Das Resident Of Village -Abdullachak, P.S-
Parsa Bazar, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sudhir Kumar Singh S/O Shri Chandra Shekhar Singh R/O Village and Post-
Kurthaul, P.S- Barsa Bazar, Dist.- Patna- 804453.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Arvind Prasad Singh, Advocate
For the State	:	Mr. Harendra Prasad, APP
For O.P. No.2	:	Mr. Sanjay Kumar Sharma, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-11-2025 Heard learned counsel for the petitioner, learned APP

for the State and the learned counsel appearing on behalf of O.P.

No.2.

2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Sections 323, 420

and 506 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that

complainant alleges that he entered into an agreement for sale of

land with the petitioner @ Rs.10,00,000/- per kattha, the

complainant wanted to purchase 10 dhurs for which he paid an

advance of Rs.4,25,000/-, thereafter it was agreed that

complainant would purchase 16 dhurs of land and, accordingly,



paid in total a sum of Rs.8,00,000/-, but the sale deed was not registered and the complainant came to know that petitioner had already sold the land.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the complainant. It is next submitted that from perusal of the allegation, as alleged in the complaint, it would manifest that the dispute is purely civil to which a criminal colour has been given. It is next submitted that if what has been alleged in the complaint is true, in that event, the complainant can move before a court of competent civil jurisdiction for getting his claim enforced. It is also submitted that since complainant did not pay the entire consideration amount, as such, the land was sold to a different purchaser.

5. The learned APP for the State and the learned counsel appearing on behalf of the complainant vehemently oppose the anticipatory bail application. The learned counsel appearing on behalf of the complainant submits that from perusal of para-3 of the anticipatory bail application, it would manifest that the same records that petitioner carries antecedent of two cases but then the sections under which the case had been instituted is not pleaded which amply demonstrates that the



same has been done intentionally to conceal that petitioner initially also was implicated in cases of cheating. It is further submitted that complainant had paid the entire consideration to the petitioner for purchasing 16 dhurs of land but then since petitioner got a purchaser who was willing to pay a higher price, as such, he sold the land and, at the same time, misappropriated the amount. It is also submitted that off late land prices in the State of Bihar has sky rocketed, as such, people are indulging in such act.

6. Considering the submissions made by learned counsel appearing on behalf of O.P. No.2/complainant, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail to the petitioner is hereby rejected in connection with Complaint Case No.5150(c) of 2024.

(Satyavrat Verma, J)

Sanjay/-

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