

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71433 of 2025

Arising Out of PS. Case No.-1542 Year-2024 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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KRISHNA PRABHAT @ KRISHNA PRABHAT AGRAWAL S/o- Late Gopal Narayan Agarwal Resident of Village- Muneriganj Sabji Market ward no- 33 PS- Begusarai Town District- Begusarai Having address of mohalla 133 90 M. Block Kindwainagar PS-Kindwainagar District-Kanpur Uttar Pradesh

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prakash Kumar Aggarwal S/o- Late Sukhdeo Narayan Aggarwal R/v- Muneriganj Main Market W.No-33, Ps- Begusarai Dist- Begusarai

... .. Opposite Party/s

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Appearance :
For the Petitioner : Mr. Ujjwal Kumar Singh, Advocate
For the State : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-10-2025 Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a complaint case registered for the offence punishable under Sections 61(2) and 338 of the B.N.S..

3. As per prosecution case, informant, namely Prakash Kumar Aggarwal, alleged that all the accused persons named in the complaint petition, including this petitioner, have formed an organized gang which fraudulently buys and sells land by grabbing and getting the deed prepared in the name of fake



individuals, drawing boundaries fraudulently and by changing details of the lands.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. As a matter of fact, petitioner and complainant are agnates and there was partition in their family in the year 1952 and land of Schedule-I was allotted in the share of one Satya Narayan Agrawal who happens to be great-grandfather of this petitioner and in this share, 1 Bigha 18 Katha and 15 dhur land appertaining to Khata No. 15 and S.P. No. 40 was allotted. Thereafter, father of this petitioner, namely Balbhav Agrawal, sold the aforesaid land in the year 2007 which was not in the knowledge of this petitioner and due to mistake, petitioner sold the aforesaid piece of land, however, thereafter, the petitioner has returned the entire consideration money and the sale deed in question has already been cancelled vide order dated 27.08.2025. It is further submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 20.05.2025 passed in Cr. Misc. No. 33172, 11.08.2025 passed in Cr. Misc. No. 40025 of 2025 and 29.08.2025 passed in Cr. Misc. No. 35252 of 2025. Moreover,



the dispute is with regard to sale and purchase of land which is purely civil in nature.

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

6. Considering the facts and circumstances of the case, nature of accusation and claim based on parity, 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 J.M. 1st, Begusarai in connection with Complaint Case No. 1542 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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