

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73324 of 2025

Arising Out of PS. Case No.-330 Year-2023 Thana- COMPLAINT CASE District- Sheohar

Dhirendra Kumar Singh @ Dhirendra Kumar Son of Chandrakishore Singh
R/o Village - Pardesiya, P.S. - Sheohar, Dist. - Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prabhat Kumar Mishra Son of Ram Padarath Mishra R/o Village - Bhodaha,
P.S. - Shyampur, Dist. - Sheohar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Dhannjay Kumar II
For the Opposite Party/s :	Ms.Suman Kumari Singh- A.P.P.
	Mr.Kundan Rathore @ Kundan Kumar
	Mr.Raj Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-11-2025 1. Heard learned counsel for the petitioner, learned

APP for the State and the learned counsel appearing on

behalf of the complainant.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 420 and 406 of the Indian Penal Code.

3. The learned counsel for the petitioner submits
that the petitioner is a person with clean antecedent and the
complainant alleges that he intended to purchase a piece of
land for his daughter at Sheohar, the petitioner informed
that landlord Sanjay Singh is willing to sell his land



pertaining to SP No.168, Khata No.243, Area 05 Dhur for Rs.11 Lacs. Accordingly, the complainant in total gave Rs.9,12,000/- by cash and online mode to the petitioner, but petitioner developed greed and did not pay the landlord, as such, the sale deed was not executed and petitioner misappropriated the amount.

4. The 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 complaint case, it would manifest that complainant himself stated that boundary around the land which he intended to purchase was constructed. It is next submitted that since complainant got the boundary wall constructed over the land which he intended to purchase that amply demonstrates that the same had the consent of the landlord. It is also submitted that had the landlord not received the consideration amount, in that event, he would never have allowed the complainant to construct the boundary wall. It is next submitted that landlord has not been made an accused. It is further submitted that complainant alleges that some amount was paid to the landlord and rest amount was



misappropriated, but then, the same is not alleged with clarity that as to what amount was given to the landlord by the petitioner and what amount he misappropriated. It is further submitted that in the nature of allegation as alleged, it appears that the dispute is purely civil to which a criminal colour has been given and if the complainant is aggrieved by the act of the petitioner, in that event, he has a remedy of approaching a Court competent civil jurisdiction for getting the lis adjudicated.

5. Learned A.P.P. as well as the learned counsel appearing on behalf of the complainant opposes the anticipatory bail application, but then, the learned counsel appearing on behalf of the complainant is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that complainant got the boundary wall over the land which he intended to purchase constructed.

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, is



directed to be released on bail on his furnishing bail-bonds in the sum 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.C1 330 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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