

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78455 of 2024

Arising Out of PS. Case No.-260 Year-2024 Thana- BELAGANJ District- Gaya

Pappu Prasad Son of Late Yadu Mahto Village -Pranpur PS- Belanganj Dist- Gaya.

... .. Petitioner

Versus

- 1. The State of Bihar
- 2. Rahul Kumar son of Narendra Sharma Village -Pranpur PS- Belanganj Dist- Gaya.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.
Mr. N. K. Prasad, Adv.
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 29-01-2025 Heard learned counsel for the petitioner and learned APP for the State. However, despite service of notice, none has entered appearance on behalf of the informant/opposite party.

02. In the present case, the petitioner seeks bail in connection with Belaganj P.S. Case No. 260 of 2024, registered on 07.05.2024, for the alleged offences under Sections 420, 504, 506/34 of the Indian Penal Code.

03. As per prosecution case, petitioner entered into an agreement with the informant for the sale of a plot of land and took Rs. 10,41,000/- from the informant. Subsequently, the petitioner refused to register the land in the name of the informant.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. With regard to same plot of land, informant has earlier lodged Belaganj P.S. Case No. 199 of 2024, wherein he only stated about execution of an agreement of sale for consideration amount of Rs. 1,51,000/-. Thereafter, with similar allegation, the present case has been lodged adding the payment of Rs. 8,90,000/- in cash, which is completely false and concocted. Prior to lodging of the present case by the informant, wife of the petitioner has lodged Belaganj P.S. Case No. 198 of 2024 against the informant and others. Moreover, the whole issue has arisen after the agreement of sale between the parties and the dispute is civil in nature, but the informant is trying to give it a criminal colour. Learned counsel further submits that in order to pressurize the petitioner for executing the sale deed, the present case has been lodged. The petitioner is in custody since 05.08.2024 and charge-sheet has been submitted. The petitioner is having antecedent of one case, which has been lodged by the same informant.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the nature of dispute and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Belaganj P.S. Case No. 260 of 2024, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Ashish/-

U		T	
---	--	---	--

