

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85606 of 2024

Arising Out of PS. Case No.-6567 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Milan Chongdar @ Milan Chandra Son of Paresh Chongdar @ Paresh
Chandra Village- Milan road, Lohia Nagar, Ps- Kankarbagh, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Kumar Sinha Son of Late Kapileshwar Prasad Sahay village- Slum
36 Kankarbagh colony, near Panch Mandir, Lohia Nagar, ps- Kankarbagh,
Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kr. Singh, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 323, 387, 406, 420, 467, 120(b) of the Indian Penal Code, in which, cognizance has been taken under Sections 420, 34 of the Indian Penal Code.

3. As per the prosecution case, all the accused persons, including this petitioner, despite taking consideration money, refused to execute sale-deed in favour of complainant and also refused to return the alleged money.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Petitioner



is not owner of the land in question. Owners of the land are co-accused Sunil Das, Naba Kumar Das, Gorang Das and Amit Das. This petitioner is only alleged to be witness to the alleged sale-deed. In this context, not a single money has been transferred in the account of this petitioner. Moreover, it is a case of civil dispute and complainant has got some other remedy. He further submits that two co-accused namely Naba Kumar Das and Sunil Das have already been granted anticipatory bail by a coordinate Bench of this Court, vide orders annexed as Annexures P/7 and P/7-A to the supplementary affidavit. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the fact that dispute is of civil nature and two similarly situated co-accused have already been granted anticipatory bail by a coordinate Bench of this Court, the prayer for anticipatory bail of petitioner is allowed.

7. Accordingly, in the event of arrest/surrender before the Court below 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 Judicial



Magistrate 1st Class, Patna in connection with Complaint Case
No. 6567(C) of 2023, subject to condition as laid down under
Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S.

(Prabhat Kumar Singh, J)

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