

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87367 of 2024

Arising Out of PS. Case No.-172 Year-2024 Thana- PATLIPUTRA District- Patna

Sumant Kumar Singh S/O Santosh Kumar Singh R/O Mohalla House No.
270, Near Shivam Public School, P.S.- Patliputra, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Sharan, Advocate

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-04-2025 Heard Mr.Sanjiv Sharan, learned counsel for the
petitioner, learned counsel for the informant and Mr.Dr. Ajeet
Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Patliputra P.S.Case No.172 of 2024,FIR dated
02.05.2024 registered for the offences punishable under
Sections 406 & 420 of IPC.

3. The prosecution case, in short, is that the informant
has been cheated by the present petitioner in the name of land
transfer. Petitioner has taken the money in the name of land but
neither he has registered the land nor has returned the money.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. The allegation as alleged in the
FIR is false and fabricated and the petitioner has not committed



any offence as alleged in the FIR. Learned counsel for the petitioner, on the basis of instruction received from the petitioner, fairly submits that the petitioner has received Rs. 7,30,000/-(Seven Lacs Thirty Thousand) from the informant and the rest amount has been received by co-accused person, namely, Sudhir Kumar Mandal and petitioner, on instruction, fairly submits that the petitioner is ready to pay Rs. 7,30,000/- (Seven Lacs Thirty Thousand) to the informant at the time of furnishing bail bond.

5. Learned counsel for the informant submits that it appears from the FIR as well as the agreement of sale that the informant has already paid Rs.9,65,000/-(Nine Lacs Sixty Five Thousand) to the petitioner and co-accused person. Learned counsel for the informant has no objection in this regard, if the petitioner pays the aforesaid amount to the informant.

6. Considering the aforesaid facts, it is admitted fact that the petitioner has received Rs.7,30,000/- (Seven Lacs Thirty Thousand)from the informant and petitioner is ready to pay the aforesaid amount, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released 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 A.C.J.M.-X, Patna in connection with Patliputra P.S.Case No.172 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) At the time of furnishing bail bond, the petitioner shall deposit Rs.7,30,000/-(Seven Lacs Thirty Thousand) by way of demand draft in favour of the informant, namely, Lalit Kumar Chaudhary and the learned court below is directed to hand over the said demand draft to the informant or his representative and for the rest amount, the parties shall abide by the final outcome of the present case.

(II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(IV) And, further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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