

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85685 of 2025

Arising Out of PS. Case No.-2164 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Sudhir Srivastava @ Sudhir Kumar Srivastava @ Sudhir Prasad Srivastava
S/o- Harihar Prasad Srivastava R/V- Gopalpur PS- Motihari Town Dist- East
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramsagar Singh S/o- Late Narsingh Singh R/v- Rawalpur Ps- Sangrampur
Dist- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Advocate
For the Complainant	:	Mr. Abhishek Kumar, Advocate
		Mr. Sharad Kumar Verma, Advocate
		Mr. Sagar Kumar, Advocate
		Mr. Hemant Ray, Advocate
For the State	:	Mr. Kumar Veerendra Narayan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-12-2025 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 406, 420, 467, 468, 471, 504 & 506/34 of the Indian Penal Code (in short 'I.P.C.') in which learned trial court took cognizance of the offence under Sections 406 and 417 of the I.P.C.

3. The case of the prosecution based on complaint petition is that the petitioner is a broker who introduced the complainant to one Afroz who has executed a sale deed of a land. When the complainant went to that land, he came to know



that the land does not belong to Afroz. It is alleged that the petitioner has taken the consideration money, i.e. Rs.13,05,000/-.

4. Learned counsel for the petitioner has submitted that from perusal of the complain petition itself it is clear that the sale deed was executed by Afroz. Only allegation against the petitioner is that he is broker. It is also alleged that the sum of Rs.13,05,000/- has been handed over to the petitioner but the same was given in cash. Learned counsel for the petitioner has submitted that it is highly improbable that such an amount in the year 2015 will be handed over in cash. Learned counsel for the petitioner has submitted that the complainant is not having a chit of paper with regard to his claim. Learned counsel for the petitioner has submitted that at most the complainant is having an actionable claim against the petitioner for which he may file case at proper forum. Learned counsel for the petitioner has lastly submitted that the petitioner is in judicial custody since 26.08.2025.

5. Learned counsel for the complainant has vehemently opposed the bail and has submitted that the petitioner is having criminal antecedent of 10 cases and most of them are of similar nature.



6. The story which has been propounded regarding handing over the cash does not seem to be true.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Complaint Case No. 2164 of 2021 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari.

(Ashok Kumar Pandey, J)

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