

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7838 of 2025**

Arising Out of PS. Case No.-5535 Year-2023 Thana- PATNA COMPLAINT CASE District-  
Patna

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1. Bijeshwar Singh Son of Sheo Nandan Singh Resident of Village- Lakhaipur, P.O. - Saduri Karma, P.S. - Narari Kala, Khurd, District- Aurangabad
  2. Ram Suresh Singh Son of Late Harihar Singh Resident of Village- Lakhaipur, P.O. - Saduri Karma, P.S. - Narari Kala, Khurd, District- Aurangabad
  3. Indrajeet Singh Son of Ram Govind Singh Resident of Village- Lakhaipur, P.O. - Saduri Karma, P.S. - Narari Kala, Khurd, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. M/S Ashoka Buildcon Limited through its Assistant Manager (Authorized Officer) Regional Office, Anubhav, Nehrunagar, Road No.4, P.S. - Patliputra, District- Patna - 800013

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anirudh Kumar Verma, Adv.  
For the Opposite Party/s : Mr. Satyendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      04-03-2025                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners apprehend their arrest in a complaint case punishable for the offence under Sections 420, 406, 467, 468, 471 and 120B of the Indian Penal Code.

3. The prosecution case, in short, is that the complainant, who was working in M/s Buildcon as Assistant Manager, pursuant to an agreement paid Rs. 10,50,000/-, out of total amount of Rs. 21,00,000/-, to these petitioners to purchase



a piece of land, however after coming to know about factual position that the alleged land belongs to Railway, the complainant requested the petitioners to return the said amount and sent legal notice, but the petitioners did not return the said amount.

4. Learned counsel for the petitioner submits that petitioners have been falsely implicated in this case and have got no concern with the land in question. Petitioners neither executed any agreement to sale the land in question nor received any money from complainant. The allegation of sending legal notice dated 18.08.2022 to petitioners is totally false. Moreover, the dispute involved in the complaint petition is purely of civil nature and none of the acts allegedly committed by the petitioners give rise to any criminal liability and in the garb of filing criminal case, the complainant is praying to recover the alleged amount, which is not permissible, for which, complainant has got other remedy. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Court below within a



period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Complaint Case No. 5535 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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