

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13116 of 2026

Arising Out of PS. Case No.-1068 Year-2022 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Shibu Sah Son of Late Bhumi Sah Resident of Village- Simraha ward no. 35,
P.S.- Saharsa Sadar, District- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raja Ram Yadav Son of Late Siyalal Yadav Resident of Village- Amha Tola
Sapardaha, P.S.- Supaul, Dist.- Supaul

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate
For the State : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 26-02-2026 Heard learned counsel for the Petitioner and

learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 1068c of 2022 registered for the
offence punishable under Section 420 of the Indian Penal Code.

3. Mr. Chandra Mohan Jha, learned counsel appearing
for the petitioner, submits that the petitioner is a seventy year
old person having no criminal antecedent. The prosecution case
is based on a complaint filed by O.P. No. 2, and while recording
his statement, the complainant fairly accepted that there was an
agreement for sale of a particular piece of land for a
consideration amount of Rs. 14,00,000/-. He further admitted



that only Rs. 3,01,000/- had been paid to the accused, the petitioner and his son. In view of his own statement, it is clearly evident that the major part of the fixed consideration amount has not been paid by O.P. No.2. It is further submitted that the actual dispute was of a different nature, as O.P. No. 2 himself approached the petitioner offering to purchase his land, which was declined by the petitioner. So far as the payment of Rs. 51,000/- via cheque by O.P. No. 2 in favour of the petitioner's son is concerned, it is submitted that the same was intentionally given by O.P. No. 2, and later he concocted a false story to pressurize the petitioner and his son to sell the land. It is contended that the entire allegations levelled by O.P. No. 2 primarily constitute a civil dispute, and no offence under Section 420 of the IPC is made out against the petitioner. It is lastly submitted that the petitioner's son is in judicial custody.

4. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. In the facts and circumstances of this case, considering the aforesaid submissions and the pleas taken by the petitioner in his petition, coupled with the nature of allegation, this Court is inclined to grant him the relief of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his



arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Complaint Case No. 1068c of 2022, subject to the conditions as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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