

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16313 of 2026**

Arising Out of PS. Case No.-868 Year-2019 Thana- NALANDA COMPLAINT CASE  
District- Nalanda

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Deepak Kumar Son of Subhash Chandra Singh @ Subhash Singh R/o - Ward  
No.38, Mohalla-Mathuriya, P.O - Bihar Sharif, P.S - Laheri, District -  
Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramanuj Kumar Son of Late Shivnandan Ram R/o Village - Soradih  
Sudhari, P.S. - Harnaut, Dist. - Nalanda.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raj Kishor Prasad, Adv.  
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

4      24-06-2026                      Heard the learned Advocate for the petitioner and the  
  
learned Additional Public Prosecutor for the State.

2. Despite valid service of notice upon the O.P. No. 2,  
  
there is none to represent him.

3. The petitioner apprehends his arrest in connection  
with Complaint Case No. 868 (C) of 2019, registered for the  
offences punishable under Sections 420, 406 and 120(B) of the  
Indian Penal Code.

4. Allegedly, the petitioner is said to have sold the  
disputed land to the complainant by realizing consideration  
amount of Rs. 40 lakhs, without disclosing the fact that the land,  
in question, was disputed one.



5. Learned Advocate for the petitioner submitted that before executing the sale deed in favour of the complainant, he had duly verified the documents and visited the land, but at that point of time, he has not made any complaint. The *bona fide* of the petitioner is also writ large that he is ready to return the sale deed amount to the tune of Rs. 23,10,000/- in due installment, if the informant has any difficulty in accepting the terms of the sale deed. Moreover, even if the allegation is taken to be true, *prima facie*, it appears to be a civil dispute, for which the petitioner has remedy before the competent Civil Court, but in order to mount pressure, the present complaint case has been filed.

6. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the petitioner has executed the land after realizing Rs. 40 lakhs and he is returning only Rs. 23 lakhs and some odd amount and thus, due to which settlement could not take place. Moreover, the petitioner despite knowing the fact that the land was under dispute, he had sold the same to the complainant.

7. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the nature of the allegation, which appears to be predominantly



civil in nature, for which the petitioner has appropriate remedy, besides the fact the petitioner is ready to settle the dispute, but O.P. No. 2 did not enter his appearance for settlement, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- VII, Nalanda at Bihar Sharif in connection with ABP No. 120 of 2026 arising out of Complaint Case No. 868 (C) of 2019, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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