

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14845 of 2025

Arising Out of PS. Case No.-4349 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

Pradeep Singh @ Pradip Singh @ Mantu Singh son of Bhajan Singh
village- Bhupatipur, Ps- R.K. Nagar Dist- Patna

... .. Petitioner

Versus

1. The State of Bihar
2. Sarita Devi wife of Nand Kishore Kumar village- Dhelwa, Ps- R.K. Nagar, Dist- Patna

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Saket Anand, Advocate
For the State	:	Mr.Navin Kumar Pandey, APP
For the O.P. No.2	:	Mr.Shashank Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 21-01-2026 Heard learned counsel for the petitioner and learned APP

for the State duly assisted by learned counsel for the

complainant/O.P. No.2.

2. The accused-petitioner, named in the complaint petition,

is apprehending his arrest in connection with Complaint Case No.

4349(C) of 2018 registered for the offences punishable under

Sections 420/34 of the Indian Penal Code.

3. As per complaint, the petitioner, even after receiving

cash of Rs. 9,60,000/- in terms of agreement, failed to execute

the sale deed against final consideration amount of Rs. 46 Lakhs.

4. Learned counsel appearing on behalf of the petitioner

submitted that payment in issue was made to co-accused namely,



Prabhakar Kumar, who was not made accused in the complaint petition. It is submitted that said Prabhakar Kumar was broker to the deal in issue and when due to certain unacceptable reasons, the agreement could not take its final shape merely on the basis of payment of Rs. 9,60,000/-, which made to the co-accused Prabhakar Kumar, the complainant want to grab the valuable land, which belonged to this petitioner by creating pressure through present criminal prosecution, which is completely unoccasioned and unwarranted, for the reason that primarily the dispute is of civil in nature.

5. While concluding argument, learned counsel submitted that petitioner is a man of clean antecedent and, moreover, for the present dispute, Title Suit bearing No. 196/2020 is pending between the parties, which is pending before learned Sub-Judge-XIV, Patna Sadar.

6. Learned A.P.P. for the State duly assisted by Mr. Shashank Kumar Singh, learned counsel appearing for the informant, while opposing the prayer for anticipatory bail of the petitioner, submitted that the transaction was made with the account of petitioner and in this regard some documentary evidence is available, however, he could not disputed the fact that dispute is purely of civil in nature, for which aforesaid title suit is



pending in the court of learned Sub-Judge-XIV, Patna Sadar.

7. In view of the aforesaid factual submissions and by taking note of the fact as primarily the dispute is of civil in nature for which title suit, as mentioned aforesaid, is pending before the competent court, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Patna Sadar/concerned court in connection with Complaint Case No. 4349(C) of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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