

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14360 of 2026

Arising Out of PS. Case No.-38 Year-2025 Thana- KADWA District- Katihar

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1. Prasant Anand, Son of Shankar Prasad Sah, R/o Permanent Add - Sonali Bazar, P.S. - Kadwa, Dist. - Katihar(Bihar).
 2. Shankar Prasad Sah, Son of Late Thakur Prasad Sah, R/o Permanent Add - Sonali Bazar, P.S. - Kadwa, Dist. - Katihar(Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Das Kundoo, S/o Late Rohit Das Kundoo, Resident of Village Potni Colony, Sonaili, P.S. Kadwa, Dist. Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sujit Kumar, Adv.
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary, APP
For O.P. No. 2	:	Mr. Sanjeev Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 06-05-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Kadwa P.S. Case No. 38 of 2025 dated 26.02.2025, registered for the offence punishable under Sections 308(3), 318(4), 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that an agreement was entered in between the informant and the petitioners for 1.89.250 acres of land for consideration amount of Rs. 2,01,00,000/- and the informant paid Rs. 1,28,51,000/- to the petitioners but the accused persons executed only 53 decimals



of land in favour of informant and others. When the informant asked accused petitioner no. 1 regarding the same, he demanded extortion money of Rs. 20 lakhs.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that petitioner no. 1 is son of petitioner no. 2. It is submitted that the petitioner no. 1 was not aware about the prevailing market value of the property for which he had entered into an agreement of his costly land in lower value and the informant took benefit of the same. Thereafter, petitioner no. 1 immediately contacted the informant and asked to pay the price as per the prevailing market value or terminate the agreement. Petitioner no. 1 also sent a legal notice to the informant for breach of contract and cancellation of the agreement. Lastly, it has been submitted that petitioner no. 1 has clean antecedent and petitioner no. 2 has one criminal case against him.

5. Learned A.P.P. as well as learned counsel for the informant has opposed the prayer for bail of the petitioners.

6. Since the nature of dispute is of civil in nature, I am inclined to grant anticipatory bail to the petitioners.

7. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Kadwa P.S. Case No. 38 of 2025, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar, subject to condition as laid down under Section 482(2) of B.N.S.S..

(Khatim Reza, J)

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