

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33035 of 2025

Arising Out of PS. Case No.-295 Year-2023 Thana- COMPLAINT CASE - UDA-
KISHUNGANJ District- Madhepura

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Birendra Mehta @ Birendra Prasad Mehta S/O Late Laxmi Mehta Resident of
Village- Garhia Balua, P.S- K. Nagar, Distt.- Purnea (Bihar).... .. Petitioner/s
Versus

1. The State of Bihar.
 2. Santosh Kumar S/O Rabindra Kumar Mehta R/O Village- Tararahi, Ward
No. 18, P.S- Bihariganj, Distt.- Madhepura.
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr.Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 28-01-2026 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner apprehending his arrest

in connection with Complaint Case No. 295 of 2023

registered for the offences punishable under Sections 147,

323 and 420 of the Indian Penal Code.

3. As per complaint, the petitioner after receiving

cash of Rs. 5 lacs in terms of agreement dated 10.11.2020

failed to execute the sale deed, for which the agreement was

executed.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that the present criminal case is completely unoccasioned and unwarranted as dispute between the parties primarily appears civil in nature. It is submitted that on the assurance, the agreement was signed by the petitioner but only Rs. 50,000/- was transferred to the UPI account of son of the petitioner.

5. Both parties appeared in person in support of their claim.

6. It is submitted by learned counsel appearing for the complainant/opposite party no. 2 that the payment was made in cash.

7. In view of aforesaid factual submissions and by taking note of fact as dispute primarily civil in nature, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Madhepura/concerned Court, where the case is pending in



connection with Complaint Case No. 295 of 2023 subject to
the conditions as laid down under Section 482(2) of the
BNSS.

(Chandra Shekhar Jha, J)

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