

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33210 of 2026**

Arising Out of PS. Case No.-279 Year-2024 Thana- ATHMALGOLA District- Patna

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Anjani Abhiraj Son of Yogendra Rai Resident of village- Budhra PS  
-Athmalgola District -Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

|                      |   |                                                                                         |
|----------------------|---|-----------------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. Ajay Kumar Thakur, Advocate<br>Mr.Purushottam Kumar, Advocate<br>Ms.Kajal, Advocate |
| For the State        | : | Mr.Suresh Prasad Singh, APP                                                             |
| For the Informant    | : | Mr.Arun, Advocate<br>Mr.Md. Anwar, Advocate                                             |

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3      17-07-2026                      Heard Mr. Ajay Kumar Thakur, learned counsel  
  
appearing on behalf of the petitioner, Mr. Arun, learned counsel  
  
for the informant and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection with  
  
Athmalgola P.S. Case No. 279 of 2024 registered for the  
  
offences under Sections 316(3), 318(4), 126(2), 115(2), 110,  
  
352, 351(2), 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short,  
  
the ‘B.N.S.’).

3. The accused/petitioner is named in the First  
  
Information Report and is in custody since 11.03.2026.

4. Allegation against the petitioner is to cheat the  
  
informant, as the promised sale deed was not executed for a  
  
piece of land even after receiving consideration amount of Rs.



16,20,000/-.

5. Mr. Ajay Kumar Thakur, learned counsel appearing on behalf of the petitioner submitted that primarily the nature of dispute is civil in nature for which lodging of present criminal case is completely unoccasioned and unwarranted. It is submitted that FIR itself suggest that the informant was aggressor.

6. Mr. Thakur further submitted that the dispute is related with specific performance, for which appropriate suit can be instituted. Learned counsel relied upon the legal report of Hon'ble Supreme Court as available through **Paramjeet Vs. State of Uttarakhand** reported in **(2013) 11 SCC 673** and **S.N. Vijayalakshmi and Anr. Vs. State of Karnataka and Anr.** reported in **2025 SCC OnLine SC 1575**.

7. While concluding argument, it is submitted that investigation of this case is already concluded, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence. Explaining criminal antecedent, it is submitted that petitioner found involved in three more criminal cases, in which he is on bail.

8. Learned A.P.P. for the State is present.

9. Mr. Arun, learned counsel for the informant, while



opposing the prayer for bail of the petitioner, submitted that petitioner refused to execute the sale deed without any reason after receiving consideration amount of Rs. 20 Lakhs. It is submitted that the act of petitioner suggest that he was under intention to cheat the informant from very inception of land deal.

10. In view of aforesaid factual submission and by taking note of the fact as the dispute between the parties primarily appears civil in nature, coupled with the fact that investigation of this case is already concluded, where petitioner remains in custody since 11.03.2026, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Barh/concerned court, in connection with Athmalgola P.S. Case No. 279 of 2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

**(Chandra Shekhar Jha, J)**

Rajeev/-

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