

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36498 of 2026

Arising Out of PS. Case No.-340 Year-2023 Thana- COMPLAINT CASE - BIKRAMGANJ
District- Rohtas

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Shivjee Singh @ Shivjee Yadav Son of Late Bishwanath Singh Resident of
Village- Dharupur, P.S.- Bikramganj, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jeera Devi Wife of Ram Prasad Singh Resident of Village- Murarpur, P.S.-
Karakat, District- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh, Adv.

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-06-2026 Heard the parties.

2.The petitioner is named in the Complaint Case
and apprehending his arrest in connection with Complaint
Case No. 340 of 2023 registered for the offences punishable
under Sections 420 and 406 of IPC.

3. The allegation against petitioner is to execute
sale deed regarding same piece of land prior to executing the
deed with complainant and thus by cheated the complainant.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that primarily the dispute between
the parties are civil in nature for which the lodging of



present criminal complaint is completely un-occassioned and un-warranted. It is pointed out that in fact petitioner executed the sale deed in favor of complainant for separate piece of land and as the dispute later on surfaced *qua* transfer land for creating a common pathway the present criminal case was lodged. It is submitted that the complaint, in issue, also not supported by affidavit, therefore, same cannot be believed, in view of legal ratio as established through ***Priyanka Srivastava Vs. State of Uttar Pradesh [2015 (6) SCC 287]***.

5. Explaining criminal antecedents, learned counsel for the petitioner submitted that another criminal complaint was lodged by one of the relatives of the complainant against petitioner who is also the purchaser of the piece of land out of common plot which was total of 10 *katha*.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual and legal submission and by taking note of fact as dispute between the parties primarily appears civil in nature, coupled with the fact that complaint, in issue, also not appears supported by affidavit,



accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, 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 JM 1st Class, Bikramganj, Rohtas /concerned Court, where the case is pending in connection with Complaint Case No. 340 of 2023, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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