

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3406 of 2025

Arising Out of PS. Case No.-43 Year-2023 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

=====

Bhola Prasad Bhagat @ Bhola Prasad S/O Late Saryug Bhagat R/O Mohalla
Anda Tola, Lohapatti, P.S.- Khagaria, Distt.- Khagaria

... .. Appellant/s

Versus

1. The State of Bihar Patna
2. Sarita Devi W/O Sanjay Kumar R/O Vill.- Shirniya Tola Harinmar, P.S.-
Harinmar, Dist.- Munger.

... .. Respondent/s

=====

Appearance :

For the Appellant/s	:	Mr.Ranjeet Kumar Singh, Advocate
For the State	:	Ms.Usha Kumari 1, Spl.P.P.
For the Informant	:	Mr.Mritunjay Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 13-03-2026 Heard the parties.

2. This appeal is preferred against the order dated 24.07.2025 passed by the learned District and Additional Sessions Judge 1st- cum- Special Judge (SC/ST), Khagaria in connection with Complaint Case No. 43C of 2023 registered for the offence under Sections 420, 406, 504, 506, 354/34 of the I.P.C. and under section 3 (xii), 3(i)(r) (s) of S.C/S.T. Act by which anticipatory bail filed by the appellant has been rejected.

3. As per the prosecution case, appellant is accused of selling a land with a defective title to the complainant.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in this case and no offence



under the provisions of SC/ST Act is made out in this case as the appellant is ready to return the amount of Rs. 4,50,000/- in equal installments of 50,000/- and therefore the application of the anticipatory bail is maintainable.

5. Learned counsel for the informant submits that the informant is ready to accept the payment in installments as paid by the appellant.

6. In view of the settlement between the parties, this application is allowed, the order dated 24.07.2025 passed by the learned District and Additional Sessions Judge 1st- cum- Special Judge (SC/ST), Khagaria in connection with Complaint Case No. 43C of 2023 , is hereby set aside.

7. Let the appellant, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, be released on **provisional anticipatory bail for a period of nine months from today** on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge 1st- cum- Special Judge (SC/ST), Khagaria/concerned Court below in connection with Complaint Case No. 43C of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 /



Section 482 of the BNSS.

8. It is made clear that the provisional bail granted to the appellant will be subject to the fact that he will pay Rs. 4,50,000/- to the complainant in nine monthly installments which comes to around Rs. 50,000/- per installment and the bail bonds of the appellant shall only be accepted if he produces a demand draft of Rs. 50,000/- i.e. the first installment in the name of the complainant. Once, the whole agreed amount of Rs. 4,50,000/- is paid to the complainant then the provisional anticipatory bail granted to the appellant shall be confirmed.

(Sandeep Kumar, J)

tusharika/-

U		T	
---	--	---	--

