

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78564 of 2024

Arising Out of PS. Case No.-325 Year-2023 Thana- PHULWARISHARIF District- Patna

Vishnu Kumar @ Sanoj Son of Krishna Ray Resident of Rupaspur Dhanaut
Sahay Nagar, Police Station - Rupaspur, District – Patna.... ... Petitioner/s
Versus

1. The State of Bihar.
 2. Ravi Raj S/o- Late Banarsi Rai, Village- Fuliya Tola, P.S.- Phulwarisharif,
Dist.- Patna.
- Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 79876 of 2024

Arising Out of PS. Case No.-325 Year-2023 Thana- PHULWARISHARIF District- Patna

Vikash Singh Son of Sri Jagdish Prasad R/o - Hari Bhajan path, Bank colony,
Bighrahpur Road, Ps- Ram Krishna Nagar, Dist- patna. Petitioner/s
Versus

1. The State of Bihar.
 2. Ravi Raj, S/o- Late Banarsi Rai, Village- Fuliya Tola, P.S.- Phulwarisharif,
Dist.- Patna.
- Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 78564 of 2024)

For the Petitioner/s : Mr.Shantanu Kumar, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

(In CRIMINAL MISCELLANEOUS No. 79876 of 2024)

For the Petitioner/s : Mr.Shantanu Kumar, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

14 22-01-2026

Cr. Misc. No. 78564 of 2024

with Cr. Misc. No. 79876 of 2024

Heard learned counsel appearing on behalf of the
petitioners, learned Additional Public Prosecutor appearing on
behalf of the State and learned counsel appearing on behalf
of the informant.



2. The accused/petitioners apprehending their arrest in connection with Phulwarisharif P.S. Case No. 325 of 2023 registered for the offences punishable under Sections 406, 420, 467, 468, 120(B)/34 of the Indian Penal Code.

3. As per FIR, informant entered into an agreement on 22.05.2022 with one Satish Kumar for a piece of land against total consideration of Rs. 1.5 crores, out of which 96 lacs in total was paid to different accounts under instruction of Satish Kumar, out of which these petitioners also received Rs. 1 lac to his account.

4. It is submitted by learned counsel appearing on behalf of the petitioners that admittedly the agreement for sale was executed between informant and Satish Kumar having no connection with these petitioners. It is pointed out that when the informant failed to pay entire consideration amount within time, the sale agreement was not tooks its final shape through desired sale deed and in meantime, when the rate land enhanced, the informant pressurized to the Satish Kumar to execute the sale deed against the old consideration, for which the time period was already over.



5. Arguing further, it is submitted that the disputes primarily civil in nature, for which this criminal complaint case is completely unoccasioned and unwarranted and these petitioners implicated only for the reasons that informant under instruction of Satish Kumar transferred Rs. one lac to the account of these petitioners.

6. Learned APP opposed the prayer of bail.

7. Learned counsel Mr. Virendra Kumar Ray, appearing on behalf of the informant, while opposing the prayer of bail fairly conceded that agreement in issue was executed between Satish Kumar and the informant but as these petitioners received Rs. 1 lac under instruction of said Satish Kumar, they are the part of larger conspiracy.

8. In view of aforesaid factual submissions and by taking note of fact as primarily the dispute appears civil in nature, where admittedly agreement for sale was executed not with these petitioners rather with one Satish Kumar, accordingly, both above named petitioners, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-XII, Patna/concerned Court, where the case is pending in connection with Phulwarisharif P.S. Case No. 325 of 2023 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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