

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83133 of 2025

Arising Out of PS. Case No.-643 Year-2024 Thana- GAYA KOTWALI District- Gaya

Jitendra Kumar @ Jeetendra Kumar S/o Late Jagdeo Singh R/o Village -
Ramna, Mama Gali, P.S - Civil Lines, District - Gaya

... .. Petitioner

Versus

1. The State of Bihar
2. Naveen Kumar S/o Late Bishambhar Prasad R/o Mohalla - K. P. Road, Near
- Karu Tea Shop, Purani Godown, P.S - Kotwali, District - Gaya, Pin -
823001

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Binod Kumar, A.P.P.

Kri.Monika, Renu Kumari, Advocates

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 13-07-2026

Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 316(2), 318(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per prosecution case, petitioner received Rs.48.19 lacs from the informant for purchase of a residential plot. Later on, petitioner did not execute sale deed nor did he return the said amount to the informant.

4. Learned counsel for the petitioner has filed supplementary affidavit. He has stated that out of total consideration money of Rs.48.19 lacs, informant paid Rs.35.50 lacs to the petitioner and Rs.12.69 lacs had been directly transferred in the account of owner of the land, as per break up given in paragraphs 3 and 4 of the supplementary affidavit. It is submitted on behalf of the petitioner that petitioner has already paid Rs.35.50 lacs to the informant and he is ready to pay Rs.12.69 lacs to the informant in instalments.



5. Learned counsel for the informant does not controvert this fact.

6. Considering the aforesaid facts of the case, prayer for bail of this petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let this petitioner, mentioned above, be enlarged on provision bail on furnishing bail bond of Rs.7,000/- (seven thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya in Kotwali Police Station Case No. 643/2024, subject to the conditions laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

7. Rs.6.69 lacs shall be given by the petitioner to the informant by way of bank draft and its receipt shall be furnished by the petitioner at the time of filing bail bonds. Rest of Rs.6 lacs shall be given by him to the informant in the same mode in two equal instalments in succeeding six months.

8. In the event, petitioner fulfils his undertaking, the court below itself shall confirm the provisional bail, otherwise appropriate order shall be passed in the matter.

(Prabhat Kumar Singh, J)

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