

IN THE COURT OF SATYA BHUSHAN ARYA, SESSIONS JUDGE, BANKA

Sourabh Kumar Singh Versus State of Bihar

Anticipatory Bail Petition No. 397 of 2026

Date of filing : 18.03.2026

Date of order : 17.06.2026

In the matter of :

Sourabh Kumar Singh, aged 38 years, son of Priyawrat Narayan Singh, resident of village Jethour Jamua, police station Amarpur, district Banka

..... Petitioner

-Versus-

State of Bihar

.....Opposite Party

Present : - Sri Radha Raman Singh, Advocate for the Petitioner

Sri Hira Lal Singh, Public Prosecutor for the State

Sri Purushottam, Advocate for the informant

ORDER

1. *Apprehending arrest the petitioner has preferred this pre-arrest bail application who is booked in Amarpur Police Station Case No. 526 of 2025, for the offence allegedly committed under Sections 316(2), 318(4) of BNS.*

2. *The case of prosecution is engendered upon a gravamen filed by one Ranjit Kumar Pandey with the allegations that on 06.10.2023, at his residence 1. Gopal Gain, 2. Saurav Kumar Singh, 3. Dhruv Kumar Singh came and told that Saurav Kumar Singh want to sell his land pertaining to Thana No. 362, Khata No. 33, Khesra No. 395, Area 5 dismils. They negotiated to sell the land to him for Rs. 25,00,000/-. An agreement was prepared on paying Rs. 5,00,000/- as advance money. Gopal Gain and Dhruv Kumar Singh signed the agreement as witnesses. Saurav Kumar Singh and Dhruv Kumar Singh told him that he would pay rest money to Gopal Gain who deliver it to him and they promised to execute sale deed on 31.03.2024. Then, on different dates he paid Rs. 20,00,000/- to Gopal Gain in his part performance and the sale amount was duly paid to Saurav Kumar Singh through Gopal Gain. In this way the informant paid Rs. 25 lakh. When he asked to execute sale deed, they all in collusion with each other kept on postponing it by making excuses. Ultimately, on 02.06.2025, they refused to execute the sale deed. Then, a Panchayati was convened upon which Dhruv Kumar Singh returned Rs. 3 lakh but for the*

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remaining Rs. 22 lakh they refused to pay. On 02.08.2025, when he went to ask for the money, they all the three abused and became adamant to beat him.

3. *With the coordination of both the learned counsels as well as mediation of this court both sides entered into compromise and got recorded their statements according to which accused Sourabh Kumar gave statement that he has compromised with Ranjit Kumar Pandey with whom he had entered into an agreement to sell of land for Rs. 28 lakh. Out of the consideration money, he had received Rs. Five lakh and he showed his willing that if the informant pay rest money Rs. 23,000,00/- within one month, he will execute sale deed. Likewise, informant Ranjit Kumar Pandey also got recorded his statement before this court that he entered into compromise and he will pay Rs. 23 lakh to the seller to get execution of sale deed. Later on, duo backed from this compromise.*

4. *In oral arguments, learned counsel for petitioner submitted that it is a case of civil nature and for the recovery of said amount the criminal justice machinery cannot be used. Learned counsel for petitioner cited ruling 2025(4) PLJR 670 Kaushalya Devi vs. State of Bihar.*

5. *In counter, learned Public Prosecutor for the State, assisted by learned counsel for the informant stoutly opposed the bail application.*

6. *Heard rival submissions and perused the record. In the opinion of this court the case is only of civil nature and there is no need of any custodial interrogation, therefore this court is inclined to grant the petitioner privilege of pre-arrest bail; resultantly, it is allowed. It is, therefore, ordered that upon arrest or surrender of the petitioner within fortnight of receiving the instant order the petitioner be admitted to anticipatory bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount to the satisfaction of trial court subject to condition as laid down under Section 482(2) of the BNSS. Out of the two sureties, one will be of the same village or close relative of petitioner.*

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However, it is made clear that the statements recorded by parties in the court in this anticipatory bail application will not be considered for any purpose in future by any civil court as this was an outcome of mediation.

7. *File be consigned to the record room and that of trial court be sent back with a copy of this order.*

(Dictated)

(Satya Bhushan Arya)
Sessions Judge, Banka