

In the Court of Addl. Sessions Judge – VIII, Patna

A.B.P. No. 3212/2026

[Arising Out of Complaint Case No. 13545(C)/2025]

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1. Sanjay Kumar @ Amit Kumar aged about 48 years S/o- Uma Shankar Prasad, r/o New Manichak, P.O. & P.S. – Masaurhi, Dist- Patna
 2. Chandrakant Kumar aged about 53 years, s/o Bindeshwar Prasad, r/o New Kailuchak, PO & PS- Masaurhi, Dist- PatnaPetitioners

Vs.

State of Bihar

--Opposite Party

Advocate for Petitioner -Shri Kumar Jinku Nirala, Ld. Advocate

Advocate for Informant -Shri Surya Prakash Singh , Ld. Advocate

Advocate for State - Shri Ramdev Paswan, Ld. A.P.P.

ORDER

13.08.2026 An anticipatory bail petition has been filed on behalf of accused/petitioners namely Sanjay Kumar @ Amit Kumar, and Chandrakant Kumar, who are apprehending their arrest in connection with Complaint Case No. 13545(C)/2025 for the offences punishable under Sections 316(2), 319 and 336 of B.N.S. pending in the Court of Ms. Garima Singh, J.M.F.C., Patna has been pressed for hearing by their Ld. Counsel Shri Kumar Jinku Nirala.

Heard Ld. Counsel for the petitioners, ld. Counsel for the informant and Ld. A.P.P. for the State.

The case of the prosecution in brief is that the complainant Prema Kumari entered into an agreement of sale dated 18.09.2020 with accused persons namely Ranvijay Singh, Sanjay Kumar and Chandrakant Kumar and in terms of agreement to sale, the complainant had paid Rs. 16 lakhs to the accused persons through cheques in different dates and in this regard, an endorsement about the receiving of amount have been recorded in the agreement to sale. The said agreement to sale was executed on 18.09.2020 for registry of 20 dhur land situated at Mauza- Dumri, Circle- Punpun. Further, the case of the complainant is that at the time of agreement dated 18.09.2020, all the accused were present there, but the accused have not executed the sale deed in the favour of the

complainant. Further, the case of the complainant is that when the accused did not executed the sale deed, then she demanded the amount, then the accused returned the amount of Rs. 5 lakhs to the complainant and did not returned the rest of amount. Further, the case of the complainant is that when she demanded her amount, then they threatened her to implicate in criminal case.

The learned advocate for the petitioner submitted that the petitioners are quite innocent and has not committed any offence rather they have been falsely implicated in this case. The prosecution case is false, fabricated and concocted one. The petitioners have no criminal antecedent. The petitioners do business as a property dealer in the local area and they deal with the land on behalf of different land owners. There is omnibus allegation against this petitioners. It has further been submitted that as per agreement that the agreement is valid upto four months from the date of execution but upto due dates the complainant has only paid amounting to Rs. 5.5 lakhs to vendor but lateron with the collusion with Ran Vijay Singh, the complainant paid rest of amount of Rs. 10,29,000 to Ran Vijay Singh and got the amendment in agreement to sale as 12 dhurs land in absence of these petitioners and these facts did not brought to the notice to these petitioner by the complainant or ran Vijay Singh. The petitioners are ready to furnish the bail bond to the satisfaction of this Court. So, it has been prayed to enlarge the petitioners on bail.

On the other hand, the learned A.P.P. appearing for the State opposed the prayer of bail petition and prayed to reject the anticipatory bail petition whereas the counsel appearing on behalf of the complainant submitted that the accused/ petitioner had taken Rs. 16 lakhs from the complainant on false pretext and later on only returned Rs. 5 lakh to the complainant and refused to return the rest of the paid consideration amount to complainant. The intention of the accused/ petitioner apparent from his conduct that he deceived the complainant in order to get money from him. So, he does not deserve bail.

Heard both the sides and perused the record. From the perusal of the record it appears that the complainant has filed this case against the accused registered for the offence u/s 316(2), 319 and 336 of B.N.S. It appears from the case records that the accused persons namely Ranvijay Singh, Sanjay Kumar and Chandrakant Kumar and in terms of

agreement to sale took rupees 16 lakhs from the the complainant and was agreed to execute the sale of land as per the agreement to sale but lateron refused to execute the sale deed and on demand by complainant, the accused persons returned only rupees five lakhs to complainant and refused to return the rest of the amount, which was paid by complainant. The conduct of accused persons shows that, they had the criminal intent since beginning and after getting the consideration amount of rupees 16 lakhs refused to execute sale deed and also on demand to return the said amount the accused persons only return rupees five lakhs and refused to return the rest of the amount, hence these conduct of accused persons .

Considering the above facts and circumstances of the case, nature and gravity of the offence committed, I am not inclined to grant the privilege of pre-arrest bail to the accused/petitioners. Hence, the prayer for anticipatory bail petition is hereby Rejected.

(Dictated & Corrected)

(Ajay Kumar-I)

Addl. Sessions Judge-VIII, Patna
13.08.2026