

IN THE HIGH COURT OF JHARKHAND, RANCHI

A.B.A. No. 6620 of 2025

Amresh Kumar Singh, s/o late Ravindra Kumar Singh, aged about 48 years, r/o Ila House, Shiv Niketan Bampas Town Deoghar, PO and PS Sub Division and District Deoghar Petitioner

-- Versus --

1.The State of Jharkhand
2.Pankaj Kumar Sinha, son of late Dinesh Prasad Sinha, r/o Pokhna Tilha, B.N.Jha Path, Deoghar, PO Deoghar, PS Deogahr (Town) District Deogahr, Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioner	:-	Mr. P.K. Sahay, Advocate
For the State	:-	Mrs Shweta Singh, Advocate
For the O.P.No.2	:-	Mr. Nikhil Choubey, Advocate

2/25.11.2025 Heard learned counsel appearing for the petitioner, learned counsel appearing for the State and learned counsel appearing for opposite party no.2.

2. The petitioner is apprehending his arrest in connection with Deoghar Town P.S. Case No.303 of 2025, registered for the offence under Sections 316(2) and 318(2) of the Bharatiya Nyaya Sanhita, 2023, pending in the Court of the learned Chief Judicial Magistrate, Deoghar.

3. Learned counsel appearing for the petitioners submits that an agreement was reached between the petitioners and opposite party no.2 for sale of certain land. He further submits that a sum of Rs.32 Lakhs have been received by the petitioners for executing the sale-deed, however, total consideration amount was Rs.2 Crores and rest of the amount has not been paid and in view of that, the sale-deed was not executed. He then submits that the agreement was reached in the year 2022 and the FIR has been lodged in the year 2025. He next submits that the petitioners are ready to return the sum of Rs.32 Lakhs to opposite party no.2, which has been received by the petitioners. He then submits that two co-accused persons have been granted

anticipatory bail in ABA No.6512 of 2025.

4. Learned counsel appearing for the State opposed the prayer and submits that the allegations are there of not executing the sale-deed.

5. Learned counsel appearing for opposite party no.2 submits that for the same land, another agreement was entered between one Gopal Prasad Singh and Pankaj Kumar Sinha, who is opposite party no.2 in the present case. He further submits that in view of that, a cheating is made out and, as such, the prayer for anticipatory bail may kindly be rejected.

6. It is an admitted position that for non-execution of the sale-deed pursuant to the agreement of the year 2022, the present FIR has been lodged in the year 2025 and total consideration amount is said to be Rs.2 Crores, whereas, Rs.32 Lakhs has been paid by the informant and it has been pointed out by the learned counsel for the petitioners that the petitioners are ready to return the sum of Rs.32 Lakhs to the informant/opposite party no.2. Prima facie, it appears that if any case is made out, that is of specific performance and two co-accused persons have been granted anticipatory bail in ABA No.6512 of 2025, and in the attending facts and circumstances of the case, I am inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the above-named petitioner is directed to surrender before the learned Court within three weeks from today and in the event of his arrest or surrender, he shall be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Deoghar in connection with Deoghar Town P.S. Case No.303 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sanjay Kumar Dwivedi, J.)

25.11.2025
SI/