

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.49715 of 2025**

Arising Out of PS. Case No.-889 Year-2024 Thana- EAST CHAMPARAN COMPLAINT  
District- East Champaran

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1. Manoj Kumar Nirala S/o Late Gopal Sah Resident of village- Halimpur, P.S.- Sahebganj, District- Muzaffarpur
  2. Saroj Kumar @ Saroj Kumar Sah S/o Late Gopal Sah Resident of Village- Halimpur, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sonu Kumar S/o Harendra Sah Resident of village- Bariyariya, P.S.- Sangrampur, District- East Champaran

... .. Opposite Party/s

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**Appearance :**

For the Petitioners	:	Mr. Abhishek Kumar, Adv. Mr. Umesh Chandra Verma, Adv.
For the State	:	Mr. Umanath Mishra, APP
For the OP-2	:	Mrs. Namita Sharma, Adv. Mr. Anshudhar Sharma, Adv.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

5      12-03-2026                      Heard learned counsel for the petitioners, learned A.P.P for the State and learned counsel for the opposite party no. 2.

2. The petitioners apprehend their arrest in a complaint case, punishable for the offence under Sections 406, 420, 504, 506, 34 of the Indian Penal Code.

3. As per complaint petition, these petitioners offered to sell their 10 dhur land to the complainant on payment of total Rs.30,00,000/-, whereupon, the complainant paid total Rs.29,88,222/- to these petitioners, but despite receiving the said



money, these petitioners did not execute the sale-deed and further demanded Rs. 20 Lakhs from the complainant. Thereafter, when the complainant demanded his money, these petitioners did not return the same and also threatened the complainant to kill.

4. Learned counsel for the petitioners submits that petitioners are innocent and committed no offence. They are simply a victim of false implication. He further submits that petitioners have not taken any money from the opposite party no. 2 in lieu of selling his land. As a matter of fact, the complainant/opposite party no. 2 had taken ornaments from the shop of petitioners and when petitioners demanded their money, the complainant has filed this false complaint case.

5. Learned counsel for the complainant/opposite party no. 2 vehemently opposes the prayer for anticipatory bail and submits that petitioners have cheated the complainant by taking a sum of Rs. 29,88,222/- from him, out of which, complainant paid Rs. 24,88,222/- in the bank account of petitioners and Rs. 5 lakhs in cash. In support of his submission, learned counsel for the opposite party no. 2 has annexed bank statement of complainant/O.P.No.2, vide Annexure R-1 to supplementary counter affidavit.



6. Considering the nature of accusation and bank statement, the prayer for anticipatory bail of petitioners is rejected.

**(Prabhat Kumar Singh, J)**

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