

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22924 of 2015

Arising Out of PS.Case No. -278 Year- 2014 Thana -PAROO District- MUZAFFARPUR

Mukesh Kumar Singh @ Mukesh Singh, Son of Late Laldeo Singh Resident
of Village Khokhan, P.s. Paroo, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-09-2015 Heard the learned counsel for the petitioner and the
learned counsel for the State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 406, 420,
120B, 323, 354/34 of the Indian Penal Code and Section 3 (I)
(X) of SC/ST Act.

According to FIR, which is based on the complaint
petition filed by the informant Pasho Devi in the court of SDJM
(West), Muzaffarpur, she is an illiterate lady and her husband
works in Kolkata and taking advantage of the same, the accused
Raj Kishore Singh and petitioner Mukesh Singh contacted her
and told her that they will get the land situated by the side of her
land, belonging to the accused Nand Kishore Singh, sold to her



and the informant agreed and Rs.3,40,000/- was fixed as a consideration money and Rs.40,000/- was given by the informant as advance on 4.05.2014 to the accused Nand Kishore Singh and for that a paper was prepared and she was given possession of the land. It was agreed that the rest consideration amount shall be paid in the Bank account of Nand Kishore Singh and in that way deposited Rs.3,35,000/- and thereafter, when the informant giving the rest amount of Rs.5,000/- asked Nand Kishore Singh to execute sale deed, he avoided and on 3.08.2014 while all the accused including the petitioner were going in front of her house, she asked them, whereupon, they all became angry and hurling abuses and calling her by her caste name and hurling filthy language, tore away her blouse and also assaulted her.

On behalf of the petitioner, it is submitted that the petitioner has falsely been implicated in the present case. There is admitted land dispute between the parties and for the said reason, he has been made accused in the present case.

On behalf of the State, it is submitted that the petitioner is named in the First Information Report/complaint case and the offence under the SC/ST Act is made out.

Considering the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders in the court below within a period of four weeks, the same shall be considered on its own merit without being prejudiced by this order, preferably, on the same day.

(Sudhir Singh, J)

V.K. Pandey/-

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