

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24221 of 2015

Arising Out of PS.Case No. -68 Year- 2015 Thana -RUPASPUR District- PATNA

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1. Ranjana Singh, wife of Anish Kumar Singh.
2. Anish Kumar Singh, Son of Kuldip Singh.
3. Anurag Singh @ Anurag, Son of Anish Kumar Singh. All Resident of Village:-Raghunathpur, Kankadhiya, P.S.:Dighwara, District:-Chapra, at present Excise Colony, Type 2/44, Ashiyana Nagar, P.S.-Shastri Nagar, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kumari Sabita, Wife of Sri Vinay Kumar Singh, Resident of Mohalla:- West Abhiyanta Nagar, P.S.:Rupaspur, District:- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat
For the Opposite Party/s : Mr. Amit Kr. Rakesh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 09-10-2015 Heard both sides.

The petitioners apprehend their arrest in Rupaspur P.S. Case No. 68/2015, registered for the offences punishable under Section 406. 420 and 34 of the Indian Penal Code.

The informant alleged that the petitioners have agreed to sell the building situated on plot no. 63, Khata no. 155, Tauji no. 5525 of area 1828 sq. ft. on consideration of Rs. 72 lacs.

The petitioners received Rs. 55 lacs as advance at the time of execution. Out of which the informant paid Rs. 20,50,000/- in cash and Rs. 34,50,000/- through cheque.

It is submitted that the petitioners only received Rs. 34,50,000/-. Petitioners are ready to refund the aforesaid amount.

Learned counsel for the informant vehemently opposed the prayer for bail and submitted that Ranjana Singh, wife of petitioner no. 1 was granted bail vide order dated 15.09.2015, as two cheques were handed over to the informant, but the aforesaid cheques could not be honoured, as the accounts of the petitioners and his wife were frozen.

Considering the facts that even after receiving almost entire consideration money through cheques and cash, the petitioner did not execute the sale deed in favour of the informant and at the same time executed the sale deed in favour of another person with regard to the same land, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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