

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3932 of 2017

Arising Out of PS.Case No. -420 Year- 2013 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

=====

Rambadan Singh, son of Shri Late Jagarnath Singh, resident of Village Katharha, P.S. Town District Aurangabad.

.... Petitioner

Versus

1. State of Bihar
2. Shanti Kumari, W/o Munna Kumar Singh, village Tengra, P.S. Barun, District- Aurangabad.

.... Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Kamendra Pd. Singh, Advocate

For the Opposite Parties : Mr. Dinesh Singh (APP)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 15-02-2017 Heard learned counsel for the petitioner learned counsel for the complainant and learned counsel representing the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 420 of 2013, registered for the offences punishable under Sections 420, 406, 468 of the Indian Penal Code.

Allegedly, the petitioner got executed a sale deed alleged to be from Mohan Singh in favour of the complainant and when the complainant went to fix pillar, it was learnt that the father of Rambadan had already sold that land earlier and Mohan Singh was impersonated by Jagdish Rawani and in that way the petitioner cheated the complainant with the help of his men.

Submission is of false implication and that the petitioner has been made unnecessary party, he is simply a witness



of the sale deed, no offence as alleged is made out against the petitioner, money suit is also lodged and earlier the complaint case filed by the complainant was dismissed and, as such, the petitioner deserves sympathetic consideration.

The learned counsel for the complainant opposes the prayer of pre-arrest bail by submitting that it was the petitioner who has introduced Mohan Singh and got executed the sale deed after impersonating Mohan Singh in place of Jagdish Rawani.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with Complaint Case No. 420 of 2013, pending in the Court of learned Judicial Magistrate 1st Class, Aurangabad.

(Jitendra Mohan Sharma, J.)

Rajiv/-

U		T	
---	--	---	--

