

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34140 of 2017

Arising Out of PS.Case No. -1616 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Anil Singh @ Pappu Singh Son of late Vijay Kumar Singh Resident of 155/B, Patliputra Colony, Police Station- Patliputra, District- Patna, Presently residing at Mohalla- Tilak Nagar, Road No. 2, Ambedkar Nagar, P.S. Rupaspur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shail Singh Wife of Dr. Bateshwar Prasad Singh Resident of E-3/3, IGIMS Campus, Sheikhpura, P.S. Shastrinagar, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vivek Anand Kumar

For the Opposite Party No. 2 : Mr. Jitendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 20-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Complaint Case No. 1616 of 2012 instituted for the offence under Sections-420, 406 and 504 of the Indian Penal Code.

It has been submitted on behalf of petitioner that he has returned an amount of Rs. 8,50,000 to Subhash Kumar Subhash on the instruction of the complainant and in support of such statement, he has filed Annexure-2, in reply to which, supplementary affidavit has been filed by the complainant (opposite party No. 2) stating therein that no any instruction was given by the complainant to Subhash Kumar Subhash to receive the money and no amount has been received by the complainant. There is allegation in the complaint petition that the



petitioner entered into an agreement with the complainant on 09-07-2008 for sale of a land for consideration amount of Rs. 22,40,000/- . The complainant made payment of Rs. 9,00,000/- to the petitioner but sale deed was not executed and later on, the complainant learnt that the petitioner has already sold the aforesaid land earlier on 08-04-2008 prior to entering into agreement with the complainant in favour of Brajesh Mishra.

Counsel for opposite party No. 2 has submitted that altogether 11 cases of similar nature are pending against this petitioner and, process has also been issued against him.

In such circumstances, this court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail is rejected.

The petitioner is directed to surrender in the court below within six weeks from today and seek regular bail, which will be considered on its own merit without being prejudiced by this order.

In the event, the petitioner does not surrender, the court below will take necessary steps against the petitioner in accordance with law.

(Sanjay Priya, J)

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