

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33586 of 2016

Arising Out of PS.Case No. -357 Year- 2014 Thana -MITHANPURA District- MUZAFFARPUR

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Amit Anand son of Sri Suresh Prasad Singh, resident of Village- Pataeria,
Bhaika, P.S Belsar, (O.P) District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar
2. Subodh Kumar Singh S/o Satya Narain Singh, resident of Rambnagh
Shastrinagar, P.S.Mithanpur, District Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar, Advocater
For the Opposite Party No.1: Mr. Gauri Shankar Gupta, APP
For the Opposite Party No.2: Mr.Hari Kishore Thakur, Advocate

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 25-01-2017 Heard learned counsel for the petitioner, learned
counsel for the opposite party No.2 and learned APP for the State.

The petitioner is apprehending his arrest in connection
with Mithanpura P.S.Case No. 357 of 2014, registered for
offences punishable under Sections 406 and 420 of the Indian
Penal Code.

It has been submitted on behalf of the petitioner that
the present case has been lodged after creating forged documents
on the basis of forged signature of the petitioner by the informant
of the case Subodh Kumar Singh and secondly for those forged
documents he is not liable to pay the amount in question.



Heard learned APP and learned counsel for the informant.

It is submitted on behalf of the informant that the petitioner met with the informant and made an agreement for sale of the vehicle No. BR 06 PA 3877 and the said vehicle was shown to him on the day of agreement and thereafter with a view to defeat the said agreement, he had filed a case earlier so that he should not be liable to pay the agreement money. As such, the petitioner is not entitled to grant anticipatory bail.

Having heard the parties and from perusal of the record and the FIR it appears that there is specific allegation against the petitioner that there was an agreement to sell the vehicle on payment of Rs.4,90,000/- and the informant had paid the said amount to the petitioner, but the vehicle was not handed over to him. As the petitioner was not ready to return money to the informant, the present case has been lodged.

From the record, it appears that the case was investigated into by the police and after investigation, the police found the case to be true against the petitioner and the vehicle in question has been seized by the police from the petitioner. As such, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for anticipatory bail is rejected.

The provisional anticipatory bail granted to the



petitioner in this case by a Bench of this Court vide order dated 30.08.2016 stands vacated.

(Vinod Kumar Sinha, J)

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