

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19437 of 2017

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

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1. Anish Kumar Singh, son of Late Kuldip Singh,
2. Anurag Singh @ Anurag, son of Anish Kumar Singh, Both resident of
Village- Raghunathpur, Kankadhiya, P.S.- Dighwara, District- Chapra.

.... Petitioners

Versus

1. The State of Bihar.
2. Kumari Sabita, W/o Binay Kumar Singh, of Mohalla- West Abhiyanta
Nagar, P.S.- Rupaspur, Distt- Patna.

.... Opposite Parties

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Appearance :

For the Petitioners : Mr. Krishna Pd. Singh, Senior Advocate.
Mr. Arun Kumar, Advocate.
For the Opposite Parties : Mr. Ramchandra Sahani, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 10-05-2017 Heard both sides.

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

The prayer for anticipatory bail of the petitioners was
earlier rejected vide order dated 09.10.2015 passed in Cr. Misc.
No. 24221 of 2015 but, the petitioners again filed this petition for
grant of anticipatory bail on the ground that the petitioners have
already returned Rs. 34,50,000/- through cheques. It appears that
the petitioners received Rs. 55 lacs, out of which Rs. 20,50,000/-
was paid in cash and Rs. 34,50,000/- was paid through cheques.



The petitioners earlier issued cheques but, the same were not honoured. Even during course of that period, the petitioners executed sale deed in favour of another person, with regard to the same land and, on such consideration the anticipatory bail petition of the petitioners was rejected.

Shri Krishna Prasad Singh, learned senior counsel for the petitioners submits that the petitioners have already returned Rs. 34,50,000/-.

Considering the entire materials on record, the prayer for anticipatory bail of the petitioners was rejected on 09.10.2015. Again after avoiding to appear in court, for more than 1½ years, the petitioners filed this petition for grant of anticipatory bail. It appears that the petitioners with intention to cheat the informant got huge amount of Rs. 55 lacs for selling a piece of land but, the petitioners did not return the money and executed the sale deed in favour of another person.

Considering the facts aforesaid, I do not find any fresh ground to consider the prayer for anticipatory bail of the petitioners. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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