

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52625 of 2016

Arising Out of PS.Case No. -285 Year- 2016 Thana -SONEPUR District- SARAN

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1. Abhay Singh @ Abhay Kumar Singh null null
2. Ranjit Singh @ Bablu Singh @ Babalu Singh Both are son of Late Ramdeo Singh, Resident of Village- Shahpur, P.S.- Sonepur, District-Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr. Anuj Kumar

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 03-05-2017 This matter has been taken up out of turn on the request of learned counsel for the petitioner.

Heard learned senior counsel for the petitioners and learned APP for the State.

The petitioners have renewed the prayer for anticipatory bail in a case registered for the offences punishable under Sections 468,469,406,420 and 120B of the Indian Penal Code.

Earlier the prayer of the petitioners for grant of anticipatory bail was rejected vide order dated 22.10.2016 passed in Cr. Misc. No. 46108 of 2016.

The prosecution case is that the petitioners persuaded



the informant to enter into an agreement with Sitaram Sharma for transfer of the land in favour of informant Shyam Prakash Singh. Against the total consideration amount of Rs.50,51000/- the informant gave Rs.4,00,000/- as advance to Sitaram Sharma, but subsequently the sale deed was executed in favour of Sudha Pandey and Shashi Shahi. It is alleged against petitioner no. 1 that he is witness to the subsequent sale-deed whereas petitioner no. 2 took away the agreement to sale papers from the informant by deceiving him.

It is submitted by learned senior counsel for the petitioners that the thrust of accusation is against Sitaram Sharma with whom the informant entered into an agreement and the consideration amount was returned. It is further submitted that co accused Sita Ram Sharma, Sunil Sharma alias Sunil Kr. Sharma and Rajesh Sharma have been granted anticipatory bail by a co-ordinate bench of this court vide order dated 27.10.2016 passed in Cr. Misc. No. 44499 of 2016 as contained in Annexure 2.

Learned counsel for the informant submits that the petitioners were also part of conspiracy and the petitioners have criminal antecedent.

Considering the fact that thrust of accusation is against Sitaram Sharma who has been granted anticipatory bail by



a co-ordinate bench of this court on the basis of agreement between the informant and the main accused Sitaram Sharma, this court finds no reason for the learned court below not to consider the prayer of the petitioner for bail in case the petitioner surrenders within six weeks from today in connection with Sonapur P.S. Case No. 285 of 2016 pending in the court of learned ACJM I, Saran at Chapra. The bail application of the petitioner may be disposed of preferably on the same day.

With the aforesaid observation/direction, this application is disposed of.

(Dinesh Kumar Singh, J)

Anil/-

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