

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63479 of 2018

Arising Out of PS. Case No.-338 Year-2017 Thana-
RAMKRISHNANAGAR District- Patna

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Pradeep Bhagat, S/o Late Munsii Bhagat, Resident of Village-
Brahampur, P.S.- Ramkrishna Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kiran Sinha

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 12-12-2018 The petitioner seeks bail in anticipation of his

arrest in connection with Ram Krishna Nagar P.S. Case No.

338 of 2017 dated 11.11.2017 instituted for the offences

under Sections 406, 420 of the Indian Penal Code.

The informant has alleged that he agreed to

purchase a property from one Lalita Sinha for a

consideration amount of rupees forty eight lakhs. Out of the

aforesaid amount, rupees twenty lakhs was given to

aforesaid Lalita Sinha. Later, the informant received an

advocate's notice stating that the agreement has been

entered into by a fake person. It has been alleged by the



informant that Lalita Sinha was introduced and identified by the petitioner and one Santosh Kumar. The arrangement under the agreement was that the land which would come in the possession of the informant, shall be re-sold in smaller plots. These facts were made known to the informant and the informant had also entered into an agreement with a third party for sale of a plot of land for rupees fourteen lakhs.

The learned counsel for the petitioner has submitted that no deed of agreement has been brought on record to demonstrate that anything of that kind had happened as has been narrated in the F.I.R. In fact, the entire money has been paid to the owner of the land viz. Lalita Sinha. The petitioner is not a witness to the agreement. There is no agreement in existence. Considering the aforesaid facts, one of the accused persons viz. Santosh Kumar has been granted anticipatory bail by a Bench of this Court vide Cr. Misc. No. 45430 of 2018.

The learned counsel for the petitioner has further submitted that in fact the informant does not want to part



with the portion of land for which he has accepted money from a third party. Only to forestall any prosecution on that end, the present case has been lodged.

Regard being had to the aforesaid facts, the petitioner, above named, in the event of his arrest or surrender within a period of four weeks from today before the learned Court below, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna in connection with Ram Krishna Nagar P.S. Case No. 338 of 2017, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

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(Ashutosh Kumar, J)

