

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57840 of 2017

Arising Out of PS.Case No. -285 Year- 2017 Thana -UDWANTNAGAR District- BHOJPUR

=====

Vivekanand Pandey, S/o Late Brij Kishore Pandey, aged about 32 years, Director of Dream Heaven's Homes Pvt. Ltd. Whose registered office is 45, 2nd Floor Thakurbari Road Sakchi, Jamshedpur, P.S.- Sakchi, District- East Singh Bhoom (Jharkhand).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Gajanan Mishra, Advocate.
For the informant	:	Mr. Pranav Kumar, Advocate.
		Mr. Uday Pratap Singh, Advocate.
		Miss Kumari Seema Singh, Advocate.
		Mr. Raju Kumar Singh, Advocate.
For the State	:	Mr. Mukeshwar Dayal, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

14 09-07-2018 Heard learned counsel for the petitioner, learned counsel
for the informant and the State.

The petitioner apprehends his arrest in **Udwant Nagar**
P.S. Case No. 285 of 2017 instituted for the offence under Sections
420, 12(b), 504 and 506 of the Indian Penal Code.

It has been submitted that petitioner entered into
agreement with the informant for construction of flats over the land of
informant and the flats were to be shared between the informant and the
petitioner. 34% of the flats were to be the share of landlord and
petitioner was to get 66% of the flats in his share. The petitioner
constructed 12 flats and sold all of them unilaterally. The petitioner did



not give any share to the informant according to the terms of agreement. The flats were to be sold only after construction of all the flats and giving the share of the informant. Petitioner further sold the flats of the informant to different persons taking more than Rs.30,00,000/- from each person. The informant insisted upon construction of flats in question, petitioner told him that he would not construct the same and threatened the informant.

Report was called for from the Superintendent of Police, Ara, about present status of construction work, which has been received. From the report it appears that flats have not been constructed and the lands are lying vacant. It also appears from the report that even the flats which have been constructed is incomplete since finishing and other works have not been done. In the report it is mentioned that only 60 per cent work has been done. For the last one year, no construction work is going on the northern side of plot.

In such circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.

(Sanjay Priya, J)

S.Ali/-

U		T	
---	--	---	--

