

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26514 of 2018

Arising Out of PS. Case No.-198 Year-2017 Thana- BHAGWANPUR District- Vaishali

Nitesh Kumar Pandey @ Amit Pandey son of Vinay Kumar Pandey resident of village - Bafapur Banthu, P.S. - Bhagwanpur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Chandra

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-06-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in Bhagwanpur P.S.
case no. 198 of 2017 instituted for the offence under Section(s)
447, 341, 323, 504, 379, 420, 467, 468 and 120B of the Indian
Penal Code.

It is alleged in the written report that this petitioner
received an amount of Rs. 2,25,000/- as a consideration money
from the informant for sale of land as mentioned in the written
report. Amount of Rs. 1,95,000/- was paid in cash. The
husband of informant paid Rs. 30,000/- by cheque to the
petitioner. The amount of cheque was credited in the account of
wife of the petitioner. It is further alleged that this petitioner in
conspiracy with his father and another uncle later on got



executed sale deed of the aforesaid land in favour of one of his uncle, namely Anjani Pandey and petitioner became identifier on the aforesaid sale deed..

Learned counsel for the petitioner submits that this petitioner has executed sale deed in favour of the informant on 24.6.2017. Xerox copy of the sale deed has been produced during hearing of the bail petition. From the impugned order, it appears that this petitioner was granted anticipatory bail by the Court below with condition that he will return back the amount of Rs. 30,000/- which was admittedly credited in the account of his wife. But, this petitioner has not complied with the aforesaid order and approached this Court.

From the allegation in the written report, this Court finds that this petitioner after executing the sale deed in favour of the informant got executed another sale deed of the same land in favour of his one of the uncle in conspiracy with his father and another uncle and himself became the identifier on the aforesaid sale deed.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner. Prayer for anticipatory bail of the petitioner stands rejected.

Petitioner may surrender before the Court below



and make prayer for regular bail which shall be considered and disposed of on its own merit in accordance with law without being prejudiced by the present order.

(Sanjay Priya, J)

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