

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25828 of 2018

Arising Out of .Case No. -26650 Year- 2014 -PATNA COMPLAINT CASE District- PATNA

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1. Ashutosh Kumar Vinayak, Son of Late Manohar Prasad, resident of Village Govindpur, P.S.- Govindpur and District- Nawadah and present resident of Road NO. 03, Rajendra Nagar, P.S.- Kadamkuan Town and District- Patna PIN 800016.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Krishna Murari Gupta, Son of Late Hari Prasad Gupta, resident of West Patel Nagar, Bhattachary Road Nandani Path, Patna- 20, P.S.- Shastri Nagar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajeet Kumar Bhardwaj
For the Opposite Party/s : Mr. B. N. Pandey, APP
For the informant : Mr. Mithilesh Gupta, advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 03-05-2018 Heard the learned counsel for the petitioner, the learned A.P.P. and the learned counsel for the complainant.

The petitioner apprehends his arrest in Complaint case No. 26650 (c) of 2014 for the offences allegedly committed by the petitioner under Section 406, 420, 467, 468, 471 and 504 of the Indian Penal Code.

The complainant alleged that petitioner sold a piece of land of Khata No. 14, plot No. 117 and 119 said to be of Ram Shobhit Das. The petitioner took consideration money as well as money for purchasing stamp for registration but Ram Shobhit Das did not execute the sale deed.

The learned counsel for the petitioner submits that petitioner is middlemen and Ram Shobhit Das entered into compromise with the complainant (Annexure-3) and Ram Shobhit



Das agreed to execute the sale deed by 25.03.2018 but the learned counsel for the complainant and the learned A.P.P. vehemently opposed the prayer for anticipatory bail and submitted that it was the petitioner who took the entire consideration money as well as money for purchasing stamp and Ram Shobhit Das agreed to execute the registered sale deed by 25.03.2018 but again he retracted from the compromise and on such non bailable warrant of arrest was issued against the petitioner and Ram Shobhit Das.

Having considered the facts that it was the petitioner who took money from the complainant for getting land of plot No. 119 transferred to the complainant, and the money for purchasing the stamp, but the land was not transferred in the name of complainant, even after compromise between the landlord and complainant, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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