

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8439 of 2018

Arising Out of PS. Case No.-721 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Krishna Bihari Prasad Sinha, S/o Late Nageshwar Prasad, R/o Plot No.11, Bisheswaraya Nagar, Baily Road, Patna, P.S.- Rupaspur, District- Patna.
 2. Manish Priyadarshi, S/o Krishna Bihari Prasad Sinha, R/o Plot No. 11, Bisheshwarya Nagar, Baily Road, Patna, P.S.- Rupaspur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sohaib Hasan Chand, S/o Late Ali Hasan, R/o Chand Villa, Chunbati Kuan, P.S.- Phulwarisharif, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shama Sinha

For the Opposite Party/s : Mr. Dilip Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 23-04-2018 Heard learned counsel for the petitioners, learned
counsel for the informant and the State.

The petitioners apprehend arrest in Complaint Case
No. 721 of 2017 instituted for the offence under Sections
406,420,467,468,471,387/120B of the IPC.

The case of the complainant is that the complainant
is the Managing Director of Aaha Planners and Developers Pvt.
Ltd. A development agreement was prepared between
complainant and petitioner-accused namely Manish Priyadarshi
and co-accused Nikhil Priyadarshi, upon payment of Rupees



one Crore on 13.10.2016, with regard to 40 kathas land at Saguna More. It is further alleged that the accused-persons demanded Rupees thirty lakhs from the complainant, which was paid by him through his cousin. It is further alleged that after payment of Rs. 1 Crore the accused-persons handed over the documents of the land. It is further alleged that the complainant spent Rs. 50 lakhs for construction of boundary walls at the site.

It is further alleged that on verification the complainant found all the documents of the land to be forged fabricated and fake documents. Thus, a total amount of Rs. 2 crore 30 lakhs has been paid by the complainant. The complainant demanded his money back, then the co-accused Nikhil Priyadarshi gave first cheque of Rs. 30 lakhs and another cheque of Rs. 4.5 lakhs, but both the cheques when deposited in the bank for clearance, got dishonoured. It is further alleged that when the complainant demanded his money, the accused persons filed case of demand of extortion against the complainant's brother. It is further alleged that the accused persons have threatened the complainant for implicating in false case.

Learned counsel for the petitioners has submitted that coordinate Bench of this Hon'ble Court by order passed in Cr.



Misc. No. 6283 of 2018, filed by one of the co-accused has stayed the further proceedings in connection with the instant case pending before learned ACJM- XII, Patna.

After looking into the aforesaid order, this Court finds that petitioner has no apprehension of arrest at present. Therefore, the instant petition is disposed of with direction to the petitioner to file fresh application for anticipatory bail, if there is apprehension of arrest to the petitioners.

(Sanjay Priya, J)

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