

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15113 of 2018

Arising Out of PS.Case No. -8 Year- 2017 Thana -MEHDIGANJ District- PATNA

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Santosh Kumar, S/o Laxmi Prasad Chandrabanshi @ Laxmi Narayan Chandrabanshi @ Laxmi Ram, resident of Ranipur Nimal (Bahari), P.S.- Mehadiganj, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Balram Kumar Yadav, son of Sri Jai Chandra Yadav, resident of Ranipur Kali Asthan, P.S. Mehandiganj, Distt. Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha, Advocate.
For the informant : Mr. Prabhat Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 05-07-2018 Heard learned counsel for the petitioner, learned counsel for the informant and the State.

The petitioner apprehends his arrest in **Mehadiganj P.S. Case No. 08 of 2017, G.R. No. 323 of 2017** instituted for the offence under Sections 406, 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

It is alleged in the written report that petitioner entered into agreement with the informant for sale of land after receiving amount of Rs.2,60,000/-, but petitioner neither executed sale deed nor returned money. The copy of agreement to sale has been enclosed in the written report which bears signature of this



petitioner, from which it appears that petitioner has received the amount of Rs.2,60,000/- from the informant.

Learned counsel for the petitioner has submitted that some loan amount was due with the informant. But no any supporting document of such loan amount has been filed by the petitioner. Besides such defence taken by the petitioner, there is no submission with regard to return of money to the informant despite direction was given to the petitioner vide order dated 23.04.2017 passed by this Court to seek instruction whether petitioner is ready to return the amount as mentioned in the agreement.

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.

S.Ali/-

(Sanjay Priya, J)

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