

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15501 of 2018

Arising Out of PS. Case No.-87 Year-2015 Thana- EKMA District- Saran

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Randhir Kumar Singh S/o Radha Mohan Singh, R/o Village- Kachnar, P.S.-
Revilganj, District- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Mohammad Halim, son of Late Amin Mian, resident of Parsagarh, P.S.-
Ekma, District- Saran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash
For the Opposite Party/s : Mr. Sri Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-06-2018 Heard learned counsel for the petitioner, learned APP for
the State as well as the learned counsel for the informant.

Petitioner apprehends his arrest in Ekma P.S. Case No. 87
of 2015 instituted for the offence under Section(s) 406 and 420
of the Indian Penal Code.

It is alleged by the informant that the petitioner took an
amount of Rs. 4,40,000/- from the informant by different
cheques for executing the sale deed. The amount was credited
in his account. The petitioner did not execute the sale deed. The
informant made demand of money then he gave threat.

Learned counsel for the petitioner has submitted that he
admits that money was transferred in the account of the
petitioner. But petitioner has transferred that amount in the



account of one Munna Dubey @ Prabhakar Dubey who was the broker. The petitioner has no concern with the money. It is further submitted that Munna Dubey has filed a complaint against the informant of this case vide complaint case No. 1734 of 2015. Learned counsel for the petitioner points out Annexure-4 which is an undertaking on a non-judicial stamp paper obtained in name of petitioner by Munna Dubey, wherein it is stated that Munna Dubey has received an amount in his account through RTGS and petitioner has no concern with the aforesaid money.

Learned counsel for the informant has submitted that Annexure 2 has been prepared only as a defence after lodging of this case by the informant on 13-06-2015. He has further submitted that Annexure 4 is the forged document. There is no date mentioned in the aforesaid document. The non-judicial stamp has been obtained in the name of petitioner. The bank statement of petitioner (Annexure 3) speaks that petitioner has received an amount of Rs. 4,40,000/- from the account of the informant. The aforesaid money was not returned to informant by the petitioner. 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, if possible on the same day, on its own merit in accordance with law without being prejudiced by the present order.

(Sanjay Priya, J)

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