

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15749 of 2019

Arising Out of PS. Case No.-933 Year-2016 Thana- GAYA COMPLAINT CASE District-
Gaya

=====

SANJAY SINGH Son of Late Chhatarpati Singh, Resident of Mohalla-Surajpura, Police Station-Bodh Gaya, District-Gaya. Presently R/o Mohalla-Alawalpur, P.S.-Fatuha (Gaurichak), District-Patna

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Parvati Devi W/o Sri Bharat Mistry, Resident of Mohalla-Pachhati Bodh Gaya, P.S.-Bodh Gaya, District-Bodh Gaya.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Gopal Govind Mishra
For the Opposite Party/s : Mr.Pranav Kumar

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 27-06-2019 This application, for grant of anticipatory bail, arises out of Complaint Case No. 933 of 2016, disclosing offences under Sections 406 and 420 of the Indian Penal Code.

Prosecution story as per complaint petition is that the complainant got a sale deed executed from the petitioner and others on payment of Rs. 13,34,000/- and, thereafter, the sale deed was executed but when the complainant went to raise the boundary wall on the said land, the same was protested by the co-sharer of the petitioner and the complainant came to know that the petitioner in connivance of the broker Arjun Yadav has cheated the complainant, as the petitioner was not authorized to sell the aforesaid land, thereafter on demand of his money, co-



accused Arjun Yadav gave two cheques of Rs. 13,44,000/- which were dishonoured by the Bank on presentation.

Submission of learned counsel for the petitioner is that a partition suit is going on between the petitioner and his co-sharer and petitioner has executed the sale deed with respect to his land and allegation is false and concocted.

Heard learned A.P.P. also as well as learned counsel for the complainant. Learned counsel for the complainant has opposed the prayer for bail on the ground that the petitioner has executed the sale deed with respect to a land, which the petitioner was not authorized to sell.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner may surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed

(Vinod Kumar Sinha, J)

sunilkumar/-

U		T	
---	--	---	--

