

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58978 of 2019

Arising Out of PS. Case No.-324 Year-2018 Thana- RANIYATALAB District- Patna

BINOD BIHARI SINGH @ BINDO BIHARI SINGH Son of Pujan Singh
Resident of Village - Raghopur, P.S.- Ranitalab, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak

For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-09-2019

This application, for grant of anticipatory bail, arises out of Rani Talab P.S. Case No. 324/18, disclosing offences under Sections 420, 406, 467, 468, 471, 504/120-B of the Indian Penal Code.

Allegation as per complaint petition, on the basis of which, F.I.R. has been lodged is that a negotiation was reached between the petitioner and complainant for sale and purchase of a piece of land and the complainant paid a total amount of Rs. 19,59,300/- to the complainant but, thereafter, the petitioner sold the land to some other person and even did not return the money.

Submission of learned counsel for the petitioner is that the complaint petition itself shows that the negotiation was done on 13.01.2016 and as the complainant did not turn up for registration of sale deed, he sold the land to some other person, the deed of agreement, which has been annexed with the complaint petition



appears to be forged one as the same has been purchased in the year 2006, which appears from top of annexure -2.

Heard learned A.P.P. as well as learned counsel for the complainant, who draw my attention towards the agreement paper to show that the amount was paid to the petitioner on different dates and the receipt of the payment is also mentioned in the deed of agreement but the petitioner neither executed the sale deed in favour of the complainant nor returned the money rather sold the said land to some other person, as such the petitioner has intentionally committed cheat and fraud with the complainant.

Having heard both sides, considering the facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should 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)

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