

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66627 of 2019

Arising Out of PS. Case No.-870 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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MD. JALIL Son of Late Samsuddin Resident of Village - Jama Masjid Road,
Hazaribagh, P.S.- Dakghar, Dist.- Hazaribagh (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tarun Kumar Gupta Son of Late Pawan Kumar Gupta Director, M/s Shakti
Coke Industries Pvt. Ltd., 95 Regency Garden New Patliputra Colony, Dist.-
Patna (Bihar)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Amresh Kumar Sinha, Adv.
For the Opposite Party/s	:	Mr.Kumar Veerendra Narayan, APP
for the opposite party no. 2	:	Mr. Ashok Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

5 06-12-2021 Heard Mr. Amresh Kumar Sinha, the learned

counsel for the petitioner and Mr. Ashok Kumar, the learned

counsel for the complainant / opposite party no. 2. The

State is represented by Mr. Kumar Veerendra Narayan, the

learned APP.

The petitioner seeks bail in anticipation of his

arrest in connection with Complaint Case No. 870 (C)/2018

in which cognizance has been taken under Section 420, 467,

468, 471 and 120(B) of the Indian Penal Code.

The accusation against the petitioner is of having



transferred a plot of land belonging to the Company of which he was one of the Directors, in the name of his wife without any authentication.

The learned counsel for the petitioner has submitted that the land was purchased by the petitioner for his own purpose and against his name, designation of the Director was mentioned in the sale deed but that was only for the purposes of fixing the identity of the petitioner.

On the other hand, Mr. Ashok Kumar, the learned counsel for the opposite party no. 2 has submitted that the transfer document clearly indicates that the land belonging to the Company of which the petitioner was one of the share-holders was unauthorizedly transferred to his wife. Thus, it has been urged on behalf of the complainant / opposite party no. 2 that the petitioner does not deserve to be granted anticipatory bail. He further supplements his argument by bringing on record a copy of the order dated 28.08.2019 passed in Cr. Misc. No. 35561 of 2019, whereby the anticipatory bail petition of the wife of the petitioner (vendee) has been rejected by a Bench of this



Court.

In the afore-noted set of facts, I am not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, his application shall be considered on its own merits without being prejudiced by the fact that the present petition on his behalf has not been entertained.

The petition stands dismissed.

(Ashutosh Kumar, J)

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