

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23002 of 2021**

Arising Out of PS. Case No.-140 Year-2020 Thana- INDUSTRIAL AREA District- Vaishali

1. RABINDRA PRASAD SINGH SON OF RESIDENT OF VILLAGE-  
DIGHIKALA PURVI, P.S.- HAJIPUR, DISTRICT- VAISHALI
2. MOSTMAT BIMLA DEVI WIFE OF LATE KAMLA PRASAD RAY  
RESIDENT OF VILLAGE- DIGHIKALA PURVI, P.S. HAJIPUR,  
DISTRICT- VAISHALI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Komal Kumari W/o Amarendra Kumar Building No. 62, Gali No. 2, Rajput  
Nagar Colony, Hajipur, Dist.- Vaishali.

... .. Opposite Party/s

**Appearance :**

|                      |   |                                        |
|----------------------|---|----------------------------------------|
| For the Petitioner/s | : | Mr.Santosh Kumar                       |
| For the State        | : | Mr. Matloob Rab                        |
| For the Informant    | : | M/s. Rajeev Kumar Singh & Alok Chandra |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

10    15-09-2022                      Heard learned counsel for the parties.

Petitioners apprehend their arrest in a case registered for the offence punishable under Section 406, 420 and some other ancillary Sections of the Indian Penal Code.

As per the prosecution case, despite the informant having paid money to one Vimla Devi, petitioner No.2, for transfer of a plot of land to her, neither the land has been transferred nor the money has been returned.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is further submitted that as per allegation money was



given on 07.12.2017 but the present FIR has been lodged on 08.09.2020, that is, after about three years, which itself shows the falsity of the case. It is next submitted that as per agreement the rest money was to be given by the informant within six months but she failed to act as per agreement. It is also submitted, by way of filing supplementary affidavit, that informant has also filed suit bearing T.S. No. 615/ 2020 on 13.11.2020 for the same relief in which notice has been served upon the petitioners.

Learned counsel appearing for the State and the informant vehemently opposed the prayer for anticipatory bail and submitted that petitioners are named in the FIR and there is direct and specific allegation against them that they took Rs. Five lac from the informant for transfer of a plot of land to her but neither the land has been transferred nor the money has been returned to her.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioners on pre arrest bail. Accordingly, the same is rejected.

**(Prabhat Kumar Singh, J)**

BKS/-

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