

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.29865 of 2021**

Arising Out of PS. Case No.-693 Year-2019 Thana- BIHAR District- Nalanda

AMAN KUMAR S/O ASHOK KUMAR SINGH R/o village- Lohgani, P.S.-  
Sohsarai, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shankar Kumar, Adv.

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN  
ORAL ORDER**

5      29-08-2022      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Vide order dated 21.06.2022, notice was directed to be issued upon O.P. No.2. In pursuance thereof, though vakalatnama has been filed on behalf of O.P. No.2 but today when the case is called out, nobody appears on his behalf.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable u/s 406, 402, 34 of the IPC.

The allegation against the petitioner is that in breach of



the agreement of sale of land he acted and instead of ensuring execution of sale deed for 80.275 decimals of land, only 32.77 decimals of land have been registered.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is general and omnibus in nature. Petitioner has no concern with the alleged deal with the informant or the vendors after getting the return of money invested by the petitioner. Petitioner has no criminal antecedent and similarly situated co-accused has been enlarged on anticipatory bail by a co-ordinate Bench of this court vide order dated 06.11.2020, passed in Cr. Misc. No.26736 of 2020.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since similarly situated co-accused has been granted bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of



the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Bihar P.S. Case No.693 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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