

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24599 of 2022

Arising Out of PS. Case No.-419 Year-2013 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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SUBODH KUMAR JHA Son of Ram Ahlad Jha Resident of Village -
Udaypur, P.s.- Sarairanjan ,Distt.- Samastipur, At present Resident of Village -
Laxmi Bakhri, P.s.- Mahua, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur

For the Opposite Party/s : Mr. Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 17-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable under sections 418, 420, 471 and 465
of I.P.C.

Allegedly, the complainant and the petitioner purchased a
land from one Dinanath singh. Thereafter, the petitioner showed
his willingness to sell his share and he executed power of
attorney in favor of the complainant . The complainant further
sold the entire purchased land to one Pratima Kumari and half
consideration money was paid to the petitioner. It is alleged that



the petitioner in connivance with other accused person fraudulently executed a deed of cancellation with respect to the power of attorney of the complainant.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have 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 levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. There is a civil dispute between the parties. He further submits that the petitioner has filed a title suit against the complainant, then the complainant has filed the present case against the petitioner. Petitioner has two criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail by submitting that the complainant filed the case in the year 2013 and cognizance was taken in the year 2017, but the petitioner has filed the present anticipatory bail application in they year 2022 i.e. after a delay of more than five years.

Having regard to the facts and circumstances of the case, since there is a delay in filing of anticipatory bail application, I am not inclined to enlarge the petitioner named above on bail.



The prayer for grant of anticipatory bail on behalf of the petitioner is rejected.

This instant application is dismissed.

(Anjani Kumar Sharan, J)

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