

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62616 of 2021

Arising Out of PS. Case No.-181 Year-2021 Thana- KATIHAR NAGAR District- Katihar

1. RAJESH KUMAR CHAUHAN @ RAJESH KUMAR Son of Late Mohan Lal Resident of Village - Christian Quarter, Tin Laltain Chowk, Bettiah, P.s.- Bettiah Town, Distt.- West Champaran.
2. Prakash Kumar Chauhan @ Prakash Kumar Son of Late Mohan Lal Resident of Village - Christian Quarter, Tin Laltain Chowk, Bettiah, P.s.- Bettiah Town, Distt.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Ajay Kumar Sinha Son of Sri Baldev Prasad Sinha Resident of Village - Lalkoti Road, Katihar, P.s.- Katihar Town, Dist.- Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 28-11-2022 Heard learned counsel for the petitioners, learned APP for the State as well as learned counsel appearing on behalf of the informant/O.P. No.2.

The petitioners apprehend their arrest in connection with Katihar Town P.S. Case No.181 of 2021, registered for the offences punishable under Sections 406, 420, 467, 468, 504, 506, 120(B) and 34 of the Indian Penal Code.

The petitioners are said to have advised the informant to start business at Bettiah and introduced him with the co-accused persons who gave proposal to buy a piece of land @ Rs.17.6 lacs. The informant paid Rs.3 lacs in cash to the accused persons as



token amount on 04.01.2012 and transferred the rest amount on different dates through cheques till 03.01.2013. When the informant requested the accused persons to execute the sale deed, they did not execute the sale deed.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. The petitioners have got criminal antecedents as stated in paragraph-3 of the bail application. It is further submitted that occurrence took place in the year 2012 and FIR was lodged in 2021.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail of the petitioners by submitting that the petitioners are habitual offenders, which is clear from paragraph-3 of the bail application.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

(Anjani Kumar Sharan, J)

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