

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66463 of 2019

Arising Out of PS. Case No.-180 Year-2017 Thana- KADAMKUAN District- Patna

PUNIT JAIN Son of Jitendra Kumar Jain Resident of Flat No.302, Om Vihar
Apartment, Kadamkuan, P.S.- Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

33 29-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Kadamkuan P.S. Case no. 180 of 2017 instituted for the offence punishable under Sections, 420, 406, 504 and 506 of the Indian Penal Code.

As per allegation in the FIR, petitioner is a broker. He had taken money from the son of the informant on the pretext of selling land to him. However, petitioner neither executed any sale deed nor returned his money. Only under a conspiracy to extort money from the petitioner, the informant prepared a forged agreement dated 11.7.2016 by misusing blank non-judicial stamp paper, which was in possession of son of the



informant.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. There is no documentary evidence in respect of handing over cash amount of Rs. 17,00,000/- to the petitioner. In fact, petitioner has not taken any money from the informant or his son rather as a bonafide belief he gave three cheques without any date on the pretext that if he will sell the land of the informant's son, after making payment of the consideration money the said cheques would be returned.

Learned APP appearing for the State has opposed the prayer of bail by submitting that petitioner is a habitual offender. Thirteen cases of similar nature is pending against him. He further submitted that it is not a fit case for granting him anticipatory bail.

Having heard learned counsel for the parties and taking into consideration that petitioner is a habitual offender, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

(Sunil Kumar Panwar, J)

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