

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3990 of 2023

Arising Out of PS. Case No.-6641 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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Vivek Kumar S/O Late Ramchandra Prasad Resident Of Flat No 102, Block-
A, Shanti Vihar Apartment, Opposite Of R.B.I. Bank, P.S.- Gandhi Maidan,
District- Patna Petitioner/s

Versus

1. The State of Bihar
2. Nand Lal Prasad S/O Late Ram Mistri Resident Of Flat No 103, Block- A,
Shanti Vihar Apartment, Opposite Of R.B.I. Bank, P.S.- Gandhi Maidan,
District- Patna Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Opposite Party/s : Mr. Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 420 of the
Indian Penal Code.

Allegation against the petitioner is that he sold the
Flat No. 103 with car parking to the complainant but the
possession of car parking was not handed over to him.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He submits that the petitioner had handed over to
complainant the possession of Flat No. 103 with car parking
space on ground floor numbered as 23. He submits that the
complainant received the possession of Flat No. 103 with car



parking space on ground floor to his satisfaction. He submits that no offence under Section 420 of the Indian Penal Code is made out against the petitioner. Complainant has himself admitted in his SA that due to employment he used to stay outside but for the last two years his son is staying in the flat and in the allotted parking some persons is parking his car. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Complaint Case No. 6641 (C) of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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