

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5200 of 2023

Arising Out of PS. Case No.-350 Year-2022 Thana- PARSABAZAR District- Patna

RAJESH KUMAR GUPTA @ RAJESH LAL Son of Pyare Lal @ Pyar Lal
Saw @ Pyare Lal Gupta Resident of Village- Dariyapur, P.S.- Parsa Bazar,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar Singh
For the Opposite Party/s	:	Mr.Mukesh Kumar Singh
	:	Mr. Sumant Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 15-05-2023 Heard learned counsel for the petitioner and learned
APP for the State assisted by learned counsel for the informant.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 406, 420, 504, 467 and 468/34 of the Indian Penal Code pending in the learned court below.

Allegation against the petitioner is that the petitioner has taken money from the informant to register a land in his favour after knowing the fact that the said land was already sold by the uncle of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the said amount was already returned to the informant. He submits that there is civil dispute between the parties. He further submits that petitioner has got



seven criminal antecedents but later on he filed a supplementary affidavit of the counter affidavit in which he stated that petitioner have three criminal antecedents as stated in para-7 of the rejoinder of the counter affidavit.

Per contra, learned APP for the State assisted by learned APP for the State vehemently opposing the bail application and submits that petitioner has not returned the amount to the informant. Hence, he does not deserve anticipatory bail.

Considering the arguments of the parties and perusal of the records and the fact that petitioner have several criminal antecedents, I am not inclined to enlarge the petitioner on bail in connection with Parsa Bazar P.S. Case No. 350/2022. Accordingly, his prayer for anticipatory bail is hereby rejected.

However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seeks regular bail, the learned Court below would pass the order, preferably, on the same day, without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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