

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25477 of 2023

Arising Out of PS. Case No.-973 Year-2021 Thana- GAYA COMPLAINT CASE District-
Gaya

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Alok Kumar @ Sudarshan Kumar @ Bhairo Kumar Son Of Shri Arjun Prasad
Resident Of Village - Purani Godam Road, Near Jain Transport, P.S. -
Kotwali, Distt. - Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Arjun Prasad Son Of Late Bhagwan Das Resident Of Village - Purani
Godam Road, Near Jain Transport, P.S. - Kotwali, Distt. - Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mrs.Pruna Rishi
For the Opposite Party/s :	Mr. Akbar Ali
	Mr. Manish Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-07-2023 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 468, 406, 420 of the Indian Penal Code.

3. It is a case of cheating by personation. It is alleged that petitioner has filed a partition suit, bearing number 152 of 2020, in the court of Sub Judge 1st Gaya in which he fraudulently gave his name to be Sudarshan Kumar as alias name in this original name in order to grab the property standing in the name of Sudarshan Kumar, whereas Sudarshan Kumar was already dead in year 2012.

4. It is submitted on behalf of petitioner that petitioner has committed no offence, rather he has been implicated in this



case only to ventilate the non-existing civil disputes which are being sought to be created by the opposite party no. 2 only to secure *alibi* and adopt pressure tactics against the petitioner to evade the liability of the opposite party no. 2 in Complaint Case No. 889 of 2020, lodged by the petitioner for offences punishable under Sections 420 and 406 of the Indian Penal Code and Section 138 of the N.I.Act.

5. However, learned counsel for the informant vehemently opposes the bail petition and submits that during course of investigation, the learned Magistrate has recorded evidences of complainant, his wife and his brother, and after being satisfied with the same, has ordered for issuance of process for the offences under Sections 468, 406 and 420 of the I.P.C. against this petitioner.

6. Considering the aforesaid facts and circumstances, the Court is of the opinion that it is not a fit case for grant of anticipatory bail to the petitioner and accordingly, the prayer for anticipatory bail is rejected.

(Prabhat Kumar Singh, J)

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