

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42522 of 2023

Arising Out of PS. Case No.-888 Year-2022 Thana- BIHAR District- Nalanda

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ABHIRAM GAURAB SON OF SRI SARYUG PRASAD RESIDENT OF
VILLAGE- UDANTPURI, PROFESSOR COLONY, GARHPAR, PS-
BIHAR, DISTRICT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh

For the Opposite Party/s : Mr. Syed Mojibur Rahman

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 420, 406,
467, 468, 471, 120(B), 34 of the Indian Penal Code.

3. The informant alleges that he along with
Manishankar and Brijnandan for purchasing land, on which
Brijnandan disclosed that there is 10.936 decimals of land in the
name of his late wife and demanded Rs. 90 lacs for the same, it
is further alleged that, accordingly, the credited Rs. 11,50,000/-
in his account and paid Rs. 28 lacs in cash and thereafter, an
agreement for sale was prepared and rest amount was to be paid
at the time of registry, it is further alleged that thereafter, again 6



lacs was deposited in his account and Rs. 24 lacs was paid in cash which was recorded on the back page of the agreement and one Ravi was a witness, thereafter, Rs. 20 lacs in cash was also paid, next alleges that Brijnandan's daughter Anju did not allow him to transfer the land and the petitioner also advised him not to transfer the land, next alleges that Title Suit No. 204 of 2022 has been filed against Brijnandan.

4. Learned counsel for the petitioner submits that the petitioner is a person with four antecedent.

5. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that from bare perusal of the allegations as alleged in the FIR, it would manifest that the dispute is purely civil to which a criminal colour has been given, it is next submitted that the petitioner has no concern with the informant, it is also submitted that the petitioner is purchaser of the land in question from Brijnandan on which the daughter of Brijnandan is a witness, it is next submitted that the petitioner was completely unaware that any deal of the land has been entered in between Brijnandan and the informant, it is further submitted that the informant even has filed a Title Suit No. 204 of 2022 against Brijnandan which is pending adjudication.



6. Learned counsel next submits that since petitioner purchased the property from Brijnandan, as such, he came to be implicated with ornamental allegation that he advised Brijnandan not to execute the sale deed in favour of the informant.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bihar P.S. Case No. 888 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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