

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39734 of 2023

Arising Out of PS. Case No.-517 Year-2021 Thana- GAURICHAK District- Patna

Shashi Kant @ Shashi Kant Singh Son of Gauri Shankar Singh Nehruchak
Badhe Tola, Ps- Alamganj District- Patna, At Present Residing Flat No.- C-
705-7th Floor, OXY Homez, Near Koyal Enclave Bhopura Tila More Road
Loni Dehat, Ps- Ghaziabad, District- Ghaziabad, Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr.Satya Nand Shukla,APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 28-07-2023 Heard Mr. Jay Ram Prasad, learned counsel

appearing on behalf of the petitioner and the learned APP for the

State.

The petitioner seeks pre-arrest bail in connection with

Gaurichak P.S.Case No.517/2021, registered for the offences

punishable under Sections 406 & 420/34 of the Indian Penal

Code.

Prosecution story, in brief, is that the petitioner had

purchased *khatiyani* land pertaining to Khata No.156 and

Khesra No.1196, Circle Office – Fatuha of one Dhupendra

Singh also. Dhurendra Singh had earlier promised to sale the

said land to one Mina Devi (informant) and received

consideration money from her. A Co-ordinate Bench of this



Hon'ble Court has granted anticipatory bail to Dhupendra Singh, vide order dated 17.05.2023 passed in Cr. Misc. No.28307/2022 in light of the agreement entered into between Mina Devi and Dhupendra Singh before the Mediator of this Hon'ble Court and the entire amount, which was received as consideration money from the informant, has been returned back to her.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has no role so far as the agreement which was entered into between Dhupendra Singh and Mina Devi. Petitioner is innocent and he has clean antecedent.

Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

Considering the dispute and the entire amount taken as consideration money has been returned back to the informant as well as the petitioner is in peaceful possession of the land and also taking into consideration that no case is made out under Section 420 of the IPC. The petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



ACJM-VI, Patna City in connection with Gaurichak P.S.Case
No.517 of 2021 subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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