

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53314 of 2023

Arising Out of PS. Case No.-1249 Year-2022 Thana- PHULWARISHARIF District- Patna

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DHARMENDRA KUMAR @ UMESH PD. GUPTA SON OF TEJAN SAO
RESIDENT OF VILLAGE- CHHOTI TEGRAILA, PS- NAUBATPUR,
DIST- PATNA (WRONGLY MENTIONED IN F.I.R. AS S/O LATE
MITHILA SINGH, RESIDENT OF VILLAGE- GAJACHAK
(MOHAMMADPUR), PS- JANIPUR (PHULWARI), DIST- PATNA, BIHAR
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Bhushan Upadhyay, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Phulwarisharif (Janipur) P.S. Case No.1249 of 2022 instituted under Sections 419,420,467,468,471,506 and 34 of the Indian Penal Code lodged on 13.10.2022 by the informant Pinki Kumari.

As per the prosecution story, four sale deeds were executed fraudulently by Pappu Kumar, Jipu Kumar as also this petitioner and a sum of Rs.48,00,000/- was transferred to them and accordingly, the sale deeds executed. However, when the



informant went to take possession, it transpired that it belongs to different person, Dharamsheela Devi and Savitri Devi and all others have played fraud with the informant to grab her hard earned money. When she wanted her money back, the accused persons threatened of dire consequences stating that they are locals. Accordingly, the FIR was lodged.

So far as this petitioner is concerned, he is executant of one sale deed which is on record for which he accepted Rs.5,00,000/-.

Learned counsel for the petitioner submits that similar situate Pappu Kumar has been granted relief.

Learned APP Mr. Jitendra Kumar Singh opposes the prayer stating that a land which never belong to the petitioner was executed, his picture Identity cards are part of the sale deeds which shows that knowing very well that he does not hold the land/is not the owner of the land, knowingly executed the sale deed and thus duped the informant of her hard earned money (Rs.5,00,000/-).

This Court finds force in the submission made by learned APP for the State. No relief can be granted to the petitioner, the bail petition stands rejected.

In view of the fact that he is in custody, the Trial court



is directed to expedite the trial and conclude the same within a
period of one year from today.

(Rajiv Roy, J)

Prakash Narayan

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