

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40616 of 2022**

Arising Out of PS. Case No.-419 Year-2014 Thana- KHAJANCHI HAT District- Purnia

RAJA GANGULI @ RAJA GANGULY @ VIKASH GANGULY Son of Late  
Hirapad Ganguly Resident of Mohalla - New Shivpuri, P.S.- Khajanchi Hat,  
District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                                                                             |
|--------------------------|---|-------------------------------------------------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. N.K. Agrawal, Sr. Adv<br>Mr. Bal Krishna Mishra, Adv<br>Mr. Kumar Rajdeep, Adv<br>Mr. Arvind Kumar, Adv |
| For the Opposite Party/s | : | Mr. Ajay Kumar Jha, APP<br>Mr. Praveen Kumar Agrawal, Adv                                                   |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      10-04-2023              Heard learned senior counsel on behalf of the petitioner,  
  
learned counsel on behalf of the informant as well as learned  
  
APP for the State.

The petitioner apprehends his arrest in connection with  
K.Hat (Maranga) P.S. Case No.419 of 2014, registered for the  
offence punishable under Sections 447, 448, 323, 384, 504 and  
506/34 of the Indian Penal Code.

As per the prosecution case, the informant had purchased  
land from one Muni Lal Sah and Ishwar Lal Sah. Due to urgent  
need of money, she entered into an agreement for selling of the  
aforesaid land with Pankaj Kumar Sah in total consideration  
amount of Rs.10,00,000/-, out of which the informant took



advance of Rs.1,00,000/- from Pankaj Sah and the petitioner. It is alleged that she had constructed two bricks house on the said land and her son was doing business there. It is alleged by the informant that after the death of her son, the petitioner and other accused persons, in the absence of the informant forcibly broke the lock of her shop and entered there and threatened her not to come there, otherwise she will be killed. The petitioner also demanded Rs.5 lacs as extortion and to execute sale deed.

It is submitted by learned senior counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner in good faith made an agreement for the land and in the process, the petitioner paid Rs.1,00,000/- to the informant. It is further submitted by the learned senior counsel that the petitioner has vacated the shop of the informant and this fact is also supported by the learned counsel for the informant. He further submits that one of the co-accused namely, Pankaj Mandal has been granted regular bail by the learned court below itself. Petitioner has no criminal antecedent.



Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

However, if the petitioner surrenders before the learned court below within a period of six weeks from today and seek for regular bail, the learned court below shall pass the order on the same day, in accordance with law considering the order passed by the Court of learned C.J.M., Purnea in CIS No.8214 of 2014.

This application is accordingly, disposed of.

**(Anjani Kumar Sharan, J)**

shikha/-

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