

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41667 of 2023

Arising Out of PS. Case No.-2629 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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SANTOSH KUMAR Son of Late Sibbal Singh Resident of Mohalla - Ward
no. 11, Road no. 58, Near B.D. Public School, Sri Krishna Bihar Colony,
Beur, P.S. - Beur, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ravindra Kumar Son of Late Sita Ram Sinha Resident of village - Betarua,
P.O. and P.S. - Beur, Distt. - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Raj Krishna Jha, Adv.
For the Opposite Party/s :	Mr. Parmanand Kumar, APP.
	Mr. Rajani Kant Singh, Adv

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-10-2023 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 2629 of 2022 registered for the
offences punishable under Sections 420 of the Indian Penal
Code and Section 138 of the N.I. Act, pending in the Court of
learned J.M. 1st Class, Patna.

3. Allegedly, petitioner is said to have taken Rs.
46,00,000/- in lieu of registration of the said land, but he neither
registered the said land nor returned the aforementioned
amount.

4. It is submitted by learned counsel for the petitioner



that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no evidence on record to show the fact that complainant had paid an amount of Rs. 46,00,000/- to the petitioner. Learned Court below took cognizance under Section 420 of IPC and Section 138 of N.I. Act against the petitioner. Petitioner has two criminal antecedents similar in nature as of the present case.

5. Learned APP for the State as well as learned counsel for the complainant opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as it is not fit case for anticipatory bail, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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