

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43261 of 2022

Arising Out of PS. Case No.-29 Year-2022 Thana- KATIHAR MUFFASIL District- Katihar

Narayan Kumar Mallik S/o Raghubir Mallik Resident of Mohalla- Lohiya
Nagar P.S.- Sahayak, District- Katihar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Kunal Rai, Son of Gaya Dhar Pal, Resident of Vill-Rajpur, P.S.-Sabour,
District – Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Ranjan, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 26-06-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 406, 420
and 34 of the Indian Penal Code.

The Court initially was inclined to grant anticipatory
bail to the petitioner in view of the pleadings made in the
anticipatory bail application that petitioner after entering into an
agreement for sale with the informant got the land of the land
owner executed in his favor but then the same is not
substantiated by any documentary evidence, thus the Court does
not feel persuaded to extend the privilege of anticipatory bail
application of the petitioner.



Learned counsel for the petitioner, at this stage, submits that when the said pleading was made in the anticipatory application, at that time the document was not with him but then the learned counsel for the informant points out that the case was filed on 18.08.2022 and the matter is being taken up on 26.06.2023. Had there been any registry of the land in question, then definitely the said document by now would have been placed on record.

The prayer for anticipatory bail of the petitioner is thus rejected.

(Satyavrat Verma, J)

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