

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51306 of 2022

Arising Out of PS. Case No.-74 Year-2022 Thana- LAHERIMUHALLA District- Nalanda

CHUNNU KUMAR, S/o Late ASharfi Lal Yadav R/o Mohalla- Sahokhar,
P.S.- Sohsarai, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar, Advocate

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 10-01-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection with Laheri P.S. Case No. 74 of 2022 registered for the offences punishable under Sections 406, 420, 341, 323, 504 and 506 read with Section 34 of the Indian Penal Code.

As per the prosecution case, the petitioner along with the co-accused persons Sunil Kumar Singh and Nitish Yadav came to the informant and offered to sell a piece of land and took the informant to the plot. Thereafter, the informant agreed



to purchase the said land at the rate of Rs. 9,11,000/- per Kattha measuring the total area of 1 bigha of 8 kattha. Then, the informant paid Rs. 7,00,000/- in cash to Sunil Kumar Singh in presence of the petitioner and the co-accused Nitish Yadav. Again the informant paid Rs. 9,50,000/- to Sunil Kumar Singh in presence of the petitioner and the co-accused Nitish Yadav at the informant's residence and on the same day, an agreement was prepared in the name of the mother of Sunil Kumar Singh in which the petitioner and the co-accused Nitish Yadav were witnesses. After few days, the informant came to know that the land in question is not genuine. Then he contacted the accused persons who became ready to return informant's money and gave five cheques of Bandhan Bank to the informant and when the informant enquired about the said cheques, he came to know that the concerned account was closed. Thereafter, the accused persons assured him that they will return all the money but they did not return the money and threatened and assaulted the informant.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. He has further submitted that the petitioner has not taken any money from the informant rather he is a only witness to the



agreement to sell. The petitioner has got no criminal history as stated in para 3 of the bail petition.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Laheri P.S. Case No. 74 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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