

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52749 of 2022

Arising Out of PS. Case No.-1108 Year-2021 Thana- PHULWARISHARIF District- Patna

AKASH KUMAR Son of Moti Yadav Resident of Village - Anda Par, P.S.-
Phulwarisharif, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarendra Nath Verma,Advocate

For the Opposite Party/s : Mr.Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-01-2023 Heard Mr. Amarendra Nath Verma, learned counsel
for the petitioner and Mr. Binod Kumar No.3, learned APP for
the State.

The petitioner apprehends his arrest in connection
with Phulwarisharif P.S. Case No. 1108 of 2021 for the offence
registered under Sections 420, 406, 467, 468 and 34 of the
Indian Penal Code.

As per the FIR, the allegation by the informant is that
she went to her relation Murari Singh who showed her a piece
of land of Santosh Rai with further statement that he will be
taking steps for execution of a deed. Accordingly, agreement of
sale was executed in the presence of this petitioner as also
Chandan and subsequently, payment to the tune of Rs.
6,60,000/- was paid and Rs. 9,000/- was due. However, neither



the sale deed was executed nor the amount was returned and in between, Murari Singh died. Thereafter whenever they approached, the mother of Santosh Rai, they lied to the informant and later the informant and her family members were also threatened. Thus the present case was lodged.

Learned counsel for the petitioner submits that whatever steps were taken as also amount that was received was/were by Murari Singh who is now died and this petitioner had no role to play in this matter.

Learned APP for the State, on the other hand, submits that a bare perusal of the FIR would show that both Chandan and Akash were active participant to the said transaction and they cannot exonerate himself from the said petition.

Taking into account the allegation that has come against the petitioner herein of deceiving the lady, this Court is not inclined to grant him privilege of anticipatory bail, which is accordingly rejected.

(Rajiv Roy, J)

Jagdish/Neha/-

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