

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53466 of 2023

Arising Out of PS. Case No.-222 Year-2023 Thana- DIGHA District- Patna

VISHAL KUMAR S/O MOHAN RAI R/O MOHALLA- KURJEE BALU
PAR, PS. DIGHA, DIST. PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parashuram Singh

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 20-12-2023

1. Heard the parties.

2. The petitioner apprehends his arrest in connection with Digha P.S. Case No. 222 of 2023 dated 26.03.2023 registered under Sections 406 / 420 / 504 / 506 / 34 of the I.P.C.

3. As per the F.I.R. the petitioner along with other accused persons allured the complainant to enter into an agreement for sale of a piece of land and thereby has duped the complainant to the extent of a sum of Rs. 1,35,00,000/-.

4. Learned counsel for the petitioner submits that from perusal of F.I.R. it would be evident that petitioner is not the owner of the land. The owner of the land told the informant to pay a sum of Rs. 10,00,000/- only to the petitioner for the purpose of sale of the subject land and in lieu thereof petitioner was paid Rs. 10,00,000/- by the informant which the



petitioner is ready to return to the informant.

5. On the other hand, learned counsel for the informant submits that petitioner is having criminal antecedent and nine cases are pending against him and in connection with Digba P.S. Case No. 244 of 2023 the petitioner is in jail right now, as such, the petitioner has got no apprehension of arrest.

6. Regard being had to the submission made by the parties and taking into consideration the fact that petitioner is already in jail in connection with some other case, as such, I am not inclined to grant anticipatory bail to the petitioner.

7. The prayer for bail is rejected.

8. However, the petitioner, if so desires, may file regular bail application.

(Anil Kumar Sinha, J)

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