

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62558 of 2023**

Arising Out of PS. Case No.-229 Year-2022 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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RAVINDRA RAJAK @ RAVINDAR RAJAK Son of Late Vifadi Rajak R/o
vill - Akinabad, P.S. - Sadar Hajipur, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

- 2 11-10-2023 Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 406, 420 of the Indian Penal Code.
3. As per case of the complainant, on 15.08.2017, all the accused persons came to her house at Bettiah on Scorpio and told her that, they deal with sale and purchase of land and they also told her that, they have known about her desire to construct house after purchasing land. The accused persons had shown the complainant their Aadhaar card and told her to visit the land. Thereafter, the aforesaid persons took the complainant to Khemnichak and shown a land of 1200 Sq. Feet. The price of the land was fixed as Rs. 4300000/- and the complainant



became ready to purchase the land. The complainant further stated that, the complainant on 21.12.2017, she transferred Rs. 700000/- through RTGS in the petitioner's account and besides that, she has also given three different cheques dated 18.12.2017, each of Rs. 700000/- and such she has claimed to have paid total Rs. 2800000/- to the petitioner and she gave remaining Rs. 1500000/- cash to co accused Asit Kumar in presence of witness on 23.12.2017 at her house at Bettiah.

The complainant further stated that, Satish Kewat and Jeet Kewat got the land registered in the name of her mother in law (Witness No. 3). When the complainant started erecting the boundary wall at the land, then Meena Bhagat started making protest by saying that, she has purchased the said land from Shatrughna Singh, Secretary of Adarsh Co operative House Construction Committee Limited, Patna. When the complainant told the same to the accused persons, then they offered to execute another 1000 Sq. feet land at Azimabad, which is more valuable. It is further stated that, on 26.05.2018, accused Ashish Kumar, S/O Sunil Singh got the land of Azimabad executed in favour of witness No. 3 (Complainant's Mother in law) and kept the original sale deed with them. When the complainant applied online for mutation of the land, then that application was



rejected on 26.07.2019 on the ground that, the land is under dispute and on probe the complainant learnt that, Ashish Kumar had executed the land in question on the basis of power of attorney executed by Abhay Kumar, but Abhay kumar had not executed such power of attorney and a Title suit No. 93/2019, filed by Abhay Kumar is pending before 2nd Sub Judge, Patna in that regard. Lastly it is alleged that, the accused persons abused and extended threat, fraudulently grabbed the complainant's amount and didn't give the land.

4. It is submitted on behalf of the petitioner that he has falsely been implicated in this case in order to create pressure upon the petitioner and to give different colour to the incident. It is further submitted that as per complainant she had given Rs. 28 lacs in the account of the petitioner for execution of sale deed of 1200 sq. feet land and as per complainant herself the land in question was executed in favour of her mother in law by Satish Kewat and Jeet Kewat, as such, she has no grievance against the execution of first sale deed in which regard the amount was transferred to the petitioner. Petitioner has already returned the amount to witness No. 1, namely, Sushil Kumar which is apparent from the statement of petitioner's account (photocopy of the relevant pages of petitioner's account



annexed as Annexure 4). Moreover, petitioner is neither vendor nor vendee, he is only alleged to be the mediator. Petitioner has got clean antecedent.

5. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Bettiah, West Champaran in connection with Complaint Case No. 229 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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