

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70601 of 2021**

Arising Out of PS. Case No.-592 Year-2021 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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KUMAR PRABHAKAR Son of Ashok Kumar Singh Resident of Village - G.
C Banerjee Road , Mundichak, P.S.- Tilkamanjhi and Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madan Mohan, Advocate

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State alongwith learned counsel for the informant.

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

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

Learned counsel for the petitioner submits that
petitioner has antecedent of 21 cases and all cases are relating to
fraud. It is next submitted that the informant alleges that
petitioner who is proprietor of Digital Foundation Pvt. Ltd.
entered into an agreement with his wife for sale of land for an
amount of Rs. 10,14,000/- but the land till date has not been



registered despite petitioner receiving the consideration amount.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that petitioner has already executed a sale deed with respect to a land as would be evident from Annexure-2 to the anticipatory bail application. It is further submitted that the sale deed executed vide Annexure-2 though was not with respect to the land for which agreement was entered in between the informant's wife and the petitioner but the consideration which the petitioner had received from the wife of the informant, the sale deed at Annexure-2 was executed in lieu thereof.

The learned counsel for the informant opposes the anticipatory bail application and submits that from perusal of Annexure-2, it would manifest that the land executed in favour of the wife and daughter of the informant was for an amount of Rs. 4,56,000/- and the said amount has been paid to the petitioner as the petitioner had assured that this amount of Rs. 10,14,000/- shall be returned. It is further submitted that had the sale deed (Annexure-2) executed in lieu of Rs. 10,14,000/- which the petitioner had received earlier then in that event the petitioner would have entered into an agreement with the wife



of the informant to clarify the said issue but that was not done which amply demonstrates that the petitioner is in habit of cheating people, as such so many cases has been instituted against him.

Considering the submission made by the learned counsel for the informant the Court is not inclined to extend the privilege of anticipatory bail of the petitioner.

Hence, the present anticipatory bail application is rejected.

(Satyavrat Verma, J)

Adnan/-

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