

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80414 of 2023

Arising Out of PS. Case No.-152 Year-2022 Thana- AGAMKUAN District- Patna

KUMAR NAGENDRA Son of Late Chandrashekhar Prasad R/o vill - Ram Murti Nagar, P.S. - Hilsa, Distt. - Nalanda. At present R/o Mohalla - Housing Colony, Bahadurpur, House No. 4M/217, P.S. - Agamkuan, distt. - Patna
... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Smt. Rashmi Narayan W/o Sri Ram Narayan R/o Mohalla - Hanuman Nagar, House No. K/120, P.S. - Patrakar Nagar, Town and Distt. - Patna
... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Devendra Kumar Sinha, Sr. Adv. Mr. Pramod Kumar Sinha, Adv.
For the State	:	Mr. Choubey Jawahar, APP
For the Informant	:	Mr. Neeraj Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-12-2023 Heard learned Senior Counsel for the petitioner and learned A.P.P. for the State assisted by learned counsel for the informant.

2. The petitioner apprehends his arrest in Agamkuan P.S. Case No. 152 of 2022 registered for the offences punishable under Sections 406, 420, 465, 468 and 471 of the Indian Penal Code pending in the Court of learned A.C.J.M., Patna City.

3. As per the prosecution case, allegation against the petitioner is that he took 2 Crore and 41 Lakh rupees from the informant in lieu of registry of the house, but further informant come to know that the said house was transferred to some other person.

4. Learned Senior Counsel for the petitioner submits



that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner and the petitioner is only agent. He further submits that the informant has also filed Title Suit against the petitioner. The petitioner has five criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail and submitted that the petitioner has not transferred the said house to the informant after taking Rs. 2 crore 41 lakh from the informant. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case and the allegation against the petitioner that after taking Rs. 2 crore 41 lakh he has not transferred the said house to the informant, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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