

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11457 of 2024**

Arising Out of PS. Case No.-250 Year-2021 Thana- GANDHIMAIDAN District- Patna

Himanshu Shekhar Singh S/O Sri Madhav Prasad Singh Resident Of Belan Bazar Toli, Ps. Munger, Dist.Munger Presently Residing At Flat No. 106, Nilambar Apartment, East Boring Canal Road, Ps. , Dist. Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Madhav Raj, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      16-02-2024                      Heard Mr. Madhav Raj, learned counsel for the petitioner and Mr. Dilip Kumar No. 1, learned APP for the State.

2. The petitioner apprehends his arrest in Gandhi Maidan P.S. Case No. 250 of 2021 registered for the offences punishable under Sections 420, 467, 468, 471, 120 and 34 of the Indian Penal Code pending in the Court of learned S.D.J.M. Patna.

3. This is the second attempt of the petitioner for grant of anticipatory bail. Earlier the anticipatory bail application of the petitioner was rejected by this Court vide order dated 20.02.2023 passed in Cr. Misc. No. 51520 of 2022.

4. As per the prosecution case, informant alleged that all the accused persons in connivance of the staffs of the



registry office have fraudulently got sale deed of her entire land i.e. 112.75 decimals, having value of Rs. 2,07,47,000/- including the land of plot no. 561 was registered in favour of co-accused Vinod Singh and Mukesh Kumar.

5. Learned 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 the petitioner is a government servant and posted as an Upper Divisional Cleark in the District Registration Office, Patna. He further submits that the petitioner has no role in the registration of land in question as alleged in the F.I.R.. The petitioner has one criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State opposes the prayer for anticipatory bail and submits that the petitioner along with other co-accused persons have fraudulently managed to create forged sale deed of the entire land of the informant.

7. Considering the facts and circumstances of case and the fact that there is no merit in the present application and the judgment of Hon'ble Apex Court passed in the case of *Ananda Babu vs. State of Tamil Nadu and Another* reported in



**2021 SCC online SC 176**, whereby the Court has held that the second anticipatory bail application is not maintainable, I am not inclined to entertain his prayer once again. The prayer for anticipatory bail of the petitioner is hereby rejected.

8. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order, considering the fact that some of the co-accused have been granted anticipatory bail by a Co-ordinate bench of this Court, there is no specific overt act against the petitioner and the ratio laid down in the judgment of the Hon’ble Apex Court passed in the case of **Satendra Kumar Antil vs. Central Bureau of Investigation & Anr** reported in **(2022) 10 SCC 51**.

**(Anjani Kumar Sharan, J)**

anand/-

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