

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10716 of 2024

Arising Out of PS. Case No.-233 Year-2023 Thana- DELHA District- Gaya

PRAMOD KUMAR @ PRAMOD KUMAR YADAV @ PRAMOD YADAV
SON OF PARMANAND YADAV R/O-DHANIYA BAGICHA, P.S.-DELHA,
DISTT.-GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 18-04-2024 Heard Manish Kumar No. 2, learned counsel for the
petitioner and Mr. Bharat Bhushan, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Delha P.S. Case No. 233 of 2023 for the offence under Sections 341, 323, 406, 420, 504, 506 and 34 of the I.P.C. lodged on 09.09.2023 by the informant, Amit Kumar.

3. As per the prosecution story, the informant alleged that the accused persons lured him for a piece of land and an agreement of Rs. 32,50,000/- was made. The informant paid Rs. 23 lakh thereafter the accused started procrastinating. Later, Lajwanti Devi died thereafter when the son of the informant went to the site to construct a boundary wall, the accused persons including the petitioner herein informed that they are



not bound by the agreement, unless a payment of Rs. 10 lakh was made. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the payment had not been made to him and in any case they themselves concede that the entire 32,50,000/- was not paid, rather only payment of Rs. 23,00,000/- was paid, as the informant was not allowed to construct a boundary wall, an exaggerated FIR.

5. Learned APP, Mr. Bharat Bhushan on the other hand submits that the petitioner was one of the signatory to the said agreement and having lured the informant, who have coughed up Rs. 23,00,000/-, it cannot get away with the fact that the payment were made in the account of the family of Lajwanti Devi. He submits that a bare perusal of the statement made in the petition as also the submission of the learned counsel appearing on behalf of the petitioner would show that on the one hand the case is that he has no role to play and on the other hand submission has been put forward that total of Rs. 32,50,000/- was not paid.

6. Considering the aforesaid facts as also the submission put forward by the parties a huge amount has been paid to the accused persons, the petitioner being one of the



signatory to the said agreement, his role cannot be ignored in the present FIR.

7. In that background, the anticipatory bail application stands rejected.

8. If, however, the petitioner surrenders within a period of four weeks from today, the Court concerned shall take up the matter and dispose of the same preferably on the same day.

(Rajiv Roy, J)

Adnan/-

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