

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21748 of 2024

Arising Out of PS. Case No.-193 Year-2023 Thana- MAHESHKHUNT District- Khagaria

Shivram Singh @ Shiv Ram Singh son of Vinay Singh Village- Baurna Ps-
Gogri Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Pramod Mishra, Adv.
For the Opposite Party/s :	Mr. Anant Kumar 1, APP
	Mr. Shashi Kumar, Adv.
	Mr. Kumar Praveen, Adv.
	Mr. Barun Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 30-07-2024 Heard the parties.

2. The petitioner apprehends his arrest in connection with Maheshkhunt P.S. Case No. 193 of 2023 registered under Sections 420, 406, 376 and 34 of the Indian Penal Code.

3. As per prosecution case, the husband of informant died in the year 2019, thereafter she started teaching in R.P. Sainik School at Khagaria since January, 2022, where one Manish Kumar was also working as a teacher. Further, Manish Kumar left the said school and joined Residential Global International School at Khagaria. Further, on advice of Manish Kumar, informant also joined the said school and started residing in the accommodation provided by the school along with her children



and also started teaching. Petitioner was the Principal of the school. It is next alleged that father of petitioner, namely, Vinay Singh took Rs.5 lakhs in name of providing government job for which an agreement dated 30.04.2022 was prepared on which wife of Vinay Singh signed as a witness. Further, alleges that petitioner got 5 Kathas, 1 Dhur, 12 Dhurki of land of the informant registered on the pretext of her making a partner in the school, thereafter Vinay Singh along with his wife and petitioner took another Rs.3 lakhs for opening a new branch of the school. Further, when nothing happened, the informant demanded her money back on which petitioner threatened to kill both her sons and exploited her physically and the informant was not allowed to leave the school premises but her son fell ill on the said pretext that her son requires medical attention the informant somehow managed to come out of the school for two hours, thereafter the instant FIR was instituted.

4. Learned counsel appearing on behalf of the petitioner submits that after full payment of consideration money, the land in question in question was registered by informant. The dispute relates to sale and purchase of land in between parties. Even if entire allegation is accepted, no case of cheating or criminal breach of trust is made out against the petitioner. It is further



submitted that the informant has lodged this false and concocted case against the petitioner and his family at the instance of one Deepak Singh who is an accused of Gogri P.S. Case No. 154 of 2021 in which petitioner and his family are witness and trial is progressing. It is lastly submits that similarly situated co-accused Vinay Singh has already been granted anticipatory bail by a co-ordinate Bench of this Court *vide* order dated 26.07.2024 passed in Cr. Misc. No. 24437 of 2024.

5. Learned A.P.P. for the State and learned counsel for the Opposite Party No. 2 opposed the prayer for anticipatory bail of the petitioner and submits that there is specific allegation against the petitioner that he took the land of the informant. Petitioner has got 5 criminal antecedents.

6. In reply, learned counsel for the petitioner submits that in all the five cases, petitioner is on bail.

7. Having considered the facts and circumstances of the case as well as the nature of dispute, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-IV, Khagaria



in connection with Maheshkhunt P.S. Case No. 193 of 2023,
subject to the conditions as laid down under Section 438(2) of
the Cr. P.C.

(Prabhat Kumar Singh, J)

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