

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25476 of 2024**

Arising Out of PS. Case No.-638 Year-2023 Thana- BANKA District- Banka

Prabhash Kumar Son Of Ajit Kumar Yadav Resident Of Village - Jagatpur  
Ward No.6, P.S. And District - Banka

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rita Kumari Wife Of Ritesh Kumar Resident Of Village - Punsiyia, P.S. -  
Rajaoun, District - Banka

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr.Abhay Kumar

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      29-03-2024                      1.    Heard learned counsel for the petitioner and  
learned A.P.P. for the State.

2.    The petitioner apprehends his arrest in a case  
registered for the offences punishable under Sections 420, 467,  
468, 471 and 120B of the Indian Penal Code.

3.    The learned counsel for the petitioner submits that  
petitioner has been falsely implicated in the present case by the  
informant. It is further submitted that in sum and substance the  
allegation against the petitioner is that he executed a sale deed  
in respect of land in favour of the informant, but then the  
informant went to the concerned authority for getting the land  
mutated in his name and the same was refused on the ground



that the land does not belong to the petitioner. It is next submitted that the land in question, for which the sale deed was executed by the petitioner in favour of the informant, was purchased by him from Veena Devi on 1-8-2022 through a register sale deed. It is further submitted that though the informant alleges that the land was not mutated in his favour, but then that is only a ploy in order to get the money back from the petitioner. It is also submitted that petitioner is ready to return the amount of Rs. 12 lakhs, which the informant claims to have been given to the petitioner for purchasing the land in question.

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

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Banka P.S. Case No. 638 of 2023, subject to the conditions as laid down under



Section 438 (2) of the Cr.P.C.

6. However, the learned trial court before accepting the bail bond of the petitioner shall ensure that petitioner has returned Rs. 12 lakhs to the informant and on being satisfied that the money has been returned to the informant, the bail bonds of the petitioner shall be accepted.

(Satyavrat Verma, J)

SUMIT/-

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