

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27444 of 2024

Arising Out of PS. Case No.-416 Year-2022 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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Rajendra Singh @ Rajo Singh, S/o Late Sant Lal Singh, R/o vill - Pakrail
Bind Toli, P.S - Maheshkhut, Distt. - Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chhathu Singh, S/o Late Anup Singh, R/o vill - Pakrail Bind Toli, P.S. - Maheshkhut, Distt. - Khagaria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate

For the Opposite Party/s : Mr.Murli Dhar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner is apprehending his arrest in a case in connection with Complaint Case No. 416 (C) of 2022 dated 30.05.2022 registered for the offences punishable under Section 420 of the Indian Penal Code.

3. As per the prosecution case, the Complainant purchased 1 Katha 3 dhur 6 dhurki land under Pakrail Mauza on consideration of Rs.81000/- and got the said land registered in his favour. Later, when the Complainant moved to the Circle Officer for creating *Jamabandi* in his name, he found that the land in question did not belong to the grand-father of the



vendor and the vendor had knowingly sold that land to the Complainant. It is further alleged that the petitioner and his son also threatened the Complainant of dire consequences and refused to return the consideration money.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has committed no offence. He has been falsely implicated in this case due to village politics. There is an admitted land dispute between both the parties. The petitioner has a clean antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner and submitted that the specific allegation against the petitioner is that he sold the land to the Complainant despite knowing this fact that said land did not belong to the grand-father of the petitioner. The petitioner had an intention to cheat the Complainant right from the beginning. So, the offence u/s 420 of the I.P.C. is made out against the petitioner. The petitioner along with his son also threatened the Complainant of dire consequences and refused to return the consideration money.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the



petitioner, I am of the view that no case for grant of anticipatory bail is made out. The petition is rejected and petitioner is directed surrender before the Court below concerned within six weeks from the date of this order and pray for regular bail, the learned court below will consider his prayer for regular bail in accordance with law without being prejudiced by this order.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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