

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36327 of 2024

Arising Out of PS. Case No.-155 Year-2023 Thana- SARAN COMPLAINT CASE District-
Saran

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Navin Kumar Chauhan SON OF Late Kameshwar Singh RESIDENT OF
VILLAGE- ENAI, PS- RIVILGANJ, DIST- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vitesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 11-07-2024 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 419, 468,
471 and 120(B) of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is purchaser of land from the complainant and the
complainant after executing the sale deed instituted the instant
false complaint case. It is further submitted that the land in
question was purchased by three persons for a consideration
amount of Rs.33 lakhs as such the petitioner paid an amount of
Rs.11 lakhs in cash to the complainant. It is next submitted that
after after execution of the sale deed, the instant complaint case
came to be instituted with an allegation that the property in



question belongs to the complainant through her maternal grandmother's side and the petitioner is land grabber and on 12.05.2022 the complainant came to know that a sale deed with respect to the property in question has been executed on 05.11.2022 and the alleged sale deed is a fraudulent sale deed, not executed by the complainant.

4. Mr. Chandra Bhushan Prasad, learned A.P.P. for the State opposes the anticipatory bail application of the petitioner and submits that it does not appear probable that Rs.33 lakhs in cash would have been paid to the complainant as the mode of payment disclosed in the sale deed is cash. It is further submitted that it also appears improbable that petitioner would have paid an amount of Rs.11 lakhs in cash. It is next submitted that had the complainant sold the land in favour of the accused persons including the petitioner in that event the petitioner in order to show his bona fide would have at least credited some amount in her account but from the pleadings made in the anticipatory bail application it appears that the same is completely missing.

5. Considering the submissions made by the learned A.P.P., the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Tr. No.



1339 of 2023 arising out of Complaint Case No. 155 of 2023
pending in the Court of learned Judicial Magistrate, 1st Class,
Saran at Chapra/successor Court.

6. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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