

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36814 of 2023

Arising Out of PS. Case No.-110 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Satya Prakash Parasar Son of Shri Shyamnandan Singh @ Shyamnand Singh,
Resident of village - Mathiya Subhash Nagar, P.S. - Chatauni, Distt. - East
Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rajnish Kumar Son of Kamleshwari Prasad Singh @ Kamleshwari Prasad,
Resident of village - Badh, P.S. - Badh, Distt. - Patna, present address -
Nutan Kunj, Raja Bazar, P.S. - Town (Motihari), Distt. - East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharad Shekhar, Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

9 05-03-2024 Heard Mr. Sharad Shekhar, the learned counsel for

the petitioner and Mr. Aditya Narayan Singh.1, the learned

Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 110 of 2022, and
cognizance has been taken under Sections 420, 467, 468, 471
and 120(B) of the Indian Penal Code and under Section 66 of
the IT Act.

3. According to prosecution case, one Shailendra
Kumar Lal booked a Unit vide with booking id no. 77 for
allotment of a simple building for Rs. 11,16,000/- (Rupees



eleven lakhs and sixteen thousand) for which he has paid Rs. 10,001 (Rupees ten thousand and one) as a booking amount, which he later cancelled on request to one Satya Prakash Parasar, who was the project manager at that time. It is further alleged that Satya Prakash Parasar concealed this cancellation information and with an intention to cheat, hatched a conspiracy against the company by inserting his own father's name in place of Shailendra Kumar Lal's father.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation levelled against the petitioner is false and fabricated and he has not committed any such offence as alleged in the FIR. He further submits that the allegation against the petitioner is that he has transferred the land in question in the name of one Shyamnandan Singh, who is the father of the petitioner, who is a co-accused in the present case and he has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 22.02.2024 passed in Cr. Misc. No. 8065 of 2023. He lastly submits that the petitioner has manipulated the sale-deed and has fraudulently transferred the land in question in the name of his father.



5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent and the co-accused, who is the father of the petitioner has been granted anticipatory bail by a co-ordinate Bench of this Court, let the petitioner, above-named, in the event of his arrest or surrender before the Court below, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Motihari, where the case is pending in connection with **Complaint Case No. 110 of 2022**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii). If the petitioner tampers with the evidence or



the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii). And further condition that the Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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