

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40908 of 2023

Arising Out of PS. Case No.-355 Year-2019 Thana- KANKARBAG District- Patna

Sashi Shekhar S/O Late Raghubir Prasad R/O Village- F6/56,Pc. Colony
Kankarbagh, Ps. Kankarbagh, Dist. Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjay Kumar Singh
For the informant	:	Mr. Krishna Bihari Prasad
		Mr. Rajeev Kumar Ambartha
For the State	:	Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 18-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 420, 406/34 of the Indian Penal Code.

Prosecution case in nutshell is that informant entered into an agreement with the petitioner, who is Managing Director of Gharaunda Construction Pvt. Ltd., to purchase a flat in the name of his wife, namely, Smt. Abhilasha. The Informant paid Rs. 7,22,000/- through three cheques but in spite of several requests possession of flat



was not given to the informant. It is further alleged that petitioner returned Rs. 1,00,000/- to the informant, but thereafter, neither he returned the rest amount nor he gave the possession of the said flat to the informant

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to business dispute. It is further submitted that there is no agreement or document to support the version of the informant and after dishonor of the cheque no legal notice was sent to the petitioner by the informant or his wife. Petitioner is in judicial custody since 30.07.2021.

Learned APP appearing on behalf of the State and learned counsel for the informant vehemently opposed the prayer of the petitioner and submitted that neither the petitioner returned the rest amount to the informant nor he gave the possession of the said flat to the informant. Petitioner has 8 criminal antecedents of same nature which that he is habitual offender.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not



inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

Learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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