

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46815 of 2024

Arising Out of PS. Case No.-978 Year-2023 Thana- BIHTA District- Patna

AMAR KUMAR SON OF LATE SURENDRA SINGH VILLAGE-
IBRAHIMPUR, SADISOPUR, P.S.- BIHTA, DISTT.- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 467, 468, 471, 420, 406, 341, 323, 504, 506, 354, 325 and 34 of the IPC in connection with Bihta P.S. Case No.978 of 2023.

3. The learned counsel for the petitioner submits that petitioner has antecedent of three cases and the informant alleges that accused persons along with the petitioner met the informant regarding a sale of land for a cost of Rs.4,00,000/-, thereafter, mother of the petitioner executed a sale deed in favour of the informant after receiving the consideration amount. It is next alleged that during mutation it was revealed that the accused persons had sold the land based on



manufactured forged documents and when the complainant demanded the money the accused persons abused and assaulted him causing fracture of leg.

4. The learned counsel submits that petitioner has been falsely implicated in the instant case by the informant. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that a civil dispute has been given a criminal colour. It is further submitted that it appears that the instant FIR has been instituted by the informant for recovering his the amount which he alleges to have given to the petitioner for purchasing the land. It is also submitted that order of mutation has been done in favour of the informant of the land which he claimed to have purchased from the mother of the petitioner.

5. The learned APP, Mr. Chandra Bhushan Prasad vehemently opposes the anticipatory bail application and submits that petitioner has antecedent of three criminal cases and on the last occasion when the case was taken up on 08.08.2024, it was submitted on behalf of the petitioner that mutation of the land has been done in favour of the informant and time was sought for filing a supplementary affidavit bringing on record the order of mutation, but today when the



case is taken up the supplementary affidavit has not been filed, which amply demonstrates that there is no order of mutation in favour of the informant and allegation is of selling a piece of land by forging documents. It is also submitted that case is in its nascent stages of investigation and in the event, if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond or tamper with the evidence.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner, accordingly, the anticipatory bail application is rejected.

(Satyavrat Verma, J)

Prakash Narayan

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