

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51668 of 2024

Arising Out of PS. Case No.-715 Year-2023 Thana- RUPASPUR District- Patna

Amrish Kumar Singh @ Amrish Kumar S/o Shambhu Nath Singh R/o vill -
Jai Mahavir Colony North Rupaspur, P.S. - Rupaspur, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Akash Kumar S/o Triloki Narayan Singh R/o vill - Makhdumpur, P.O. and
P.S. - Sonpur, Distt. - Saran, presently residing at Opposite Mazaar Gali,
Post - B, V. College, P.S. - Airport, Dist. - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Chandra, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Rupaspur P.S. Case No. 715 of 2023 dated 03.09.2023,
instituted under Sections 406, 420, 506, 34, 415, 467, 468 and
120(B) of the Indian Penal Code.

3. As per the F.I.R., Naveen Kumar, who is the Power
of Attorney Holder of the lands of his mother, executed sale
deed in favour of the informant on 20.10.2021, in which
petitioner is one of the identifier as well as witness to the
alleged sale deed.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner is the identifier as well as witness to the alleged transaction. It is further submitted that similarly situated co-accused persons namely, Chunnu Kumar and Priti Kumari have been granted bail *vide* order dated 26.06.2024 passed by this Court in Criminal Miscellaneous No. 35955 of 2024. It is further submitted that co-accused, namely, Santosh Kumar Bharti and Sunita Devi had got executed sale deed in their favour for which co-accused Chunnu Kumar has filed a Title Suit No. 06 of 2022 in the Court of Sub-Judge-1, Danapur, which is pending for adjudication. It is further submitted that co accused, namely, Sunita Devi by committing fraud and forgery had got mutated her name in respect of the land in question. It is vehemently submitted that petitioner has not sold the land in question in favour of Sunita Devi. Further, it is submitted that there is no evidence of any amount taken by the petitioner. The amount of details, which are mentioned in the FIR, are received by Naveen Kumar, who is the son of Sunita Devi and said Naveen Kumar is the Power of Attorney holder of Sunita Devi, got executed the sale deed in favour of the informant. The petitioner has no role in executing the sale deed. It is submitted that in para-3 of the anticipatory bail petition, the



petitioner has inadvertently missed to mention that the informant and his wife have filed two separate criminal cases regarding the same occurrence. Another criminal case has been registered *vide* Rupaspur P S Case No. 716 of 2023, dated 03-09-2023, under Sections 406, 420, 506/34, 467, 468 and 120B of the IPC. Lastly, it is submitted that except the aforesaid case, the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Rupaspur P.S. Case No. 715 of 2023, he/they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-I, Danapur, Patna, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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