

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51538 of 2023

Arising Out of PS. Case No.-586 Year-2023 Thana- PHULWARISHARIF District- Patna

PARAMANAND RAJAK Son of Ramji Rajak Resident of village - New Sabjpura, Near Krishna Farma, P.S. - Fulwarisharif, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Urmila Devi W/o Late Amirak Prasad R/o vill - Bhusaula, Danapur, P.O. - Mubarakpur, P.S. - Fulwarisharif, Distt. - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Chhote Lal Mishra, Advocate
For the Opposite Party/s :	Mr. Rajendra Nath Jha, A.P.P. Mr. Rahul Raj, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 24-07-2024 Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 406, 420 of the Indian Penal Code.

3. As per the prosecution case, husband of the informant died 15 years ago and after his death, this petitioner used to visit the informant and became friendly with her. Later on, this petitioner sold land of the informant by pretending to be her husband and when informant demanded her money, he refused to pay her back. It is further alleged that petitioner also physically exploited her since long time.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case. As a matter of fact, an agreement was made between brother of the informant and this petitioner to sell the property in question but later on, informant's brother did not register the property after receiving the amount. He further submits that the petitioner has paid the amount through UPI into the account of the informant. Petitioner is a Government servant and the dispute involved in this case is of civil nature.

5. Learned counsel for the O.P. No. 2 vehemently opposed the bail application and submitted that petitioner is named in the F.I.R. with specific accusation that he sold land of the informant by pretending to be her husband and grabbed entire consideration money and did not give a single penny to the informant. He next submits that petitioner is running a medical clinic by showing himself as a doctor but he does not possess MBBS qualification and has got two criminal antecedents of similar nature.

6. Considering the facts and circumstances of the case, prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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