

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66557 of 2023

Arising Out of PS. Case No.-696 Year-2022 Thana- SIWAN MUFFASIL District- Siwan

Rakesh Kumar Son Of Shri Ramji R/O Vill - Suwraha, P.S. - Bansgaon
Malhanpur, Distt. - Gorakhpur, U.P., Presently Residing At 14/18, Samta
Enclave, D-Block, Qutubpur, South West Delhi, Delhi - 110071

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar, Adv.
For the State	:	Mr. Ram Sumiran Rai, APP
For the Informant	:	Mr. Krishna Pd. Singh, Sr. Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 22-01-2024 Heard learned counsel for the petitioner, learned
senior counsel for the informant and learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 420, 467,
468, 471 of the Indian Penal Code.

3. As per FIR, the petitioner has taken Rs. 19,99,000/-
from the informant on different dates in his bank account and
cash for the sale of land. Petitioner executed the sale deed in
favour of the wife of the informant but he again sold the same
land to another person.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that there is general and omnibus allegation



levelled against the petitioner. He submits that the petitioner is businessman and property dealer in Delhi. The petitioner and the informant were known to each from 2013-14. The first informant happens to be a very clean man and he obtained cheque book of this petitioner and the same has misused by the first informant and this petitioner put his signature on the so called cheque and in other words it may be said that signature of this petitioner has been put by the informant is known person. He further submits that petitioner has one criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State and learned senior counsel for the informant oppose the prayer for bail submit that after taking consideration money, the petitioner has not executed the sale deed in favour of the informant. He submits that on verification of mutation paper of Mutation Case No. T 2159289/14-15 u/s 34 of Bhu Rajaswa Adhiniyam shown in this case, fund to be not issued from Tahsil Dadri nor any online application is available in that office in the name of Nirmals Singh wife of Amrendra Singh which is clear from para-97 of the case diary.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail.



Accordingly, his prayer for anticipatory bail is rejected in connection with Siwan Muffasil P.S. Case No. 696 of 2022.

(Anjani Kumar Sharan, J)

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