

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71133 of 2023

Arising Out of PS. Case No.-770 Year-2022 Thana- GAYA KOTWALI District- Gaya

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ARYAN SINGH S/O SRI ASHOK SINGH R/O MOHALLA- NAVAGARHI,
RAM SAGAR ROAD, P.S- VISHNUPAD, DISTT.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Dudh Nath Singh
For the Opposite Party/s:		Mr.Sanjay Kumar Tiwary
For the Informant	:	Mr. Sunil Kumar Yadav

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-04-2024 Heard learned counsel for the parties.

2. The petitioner apprehend his arrest in a case registered for the offence punishable under Sections 406, 420, 34 of the Indian Penal Code.

3. As per the FIR, the petitioner and co-accused Niraj Kumar negotiated with the informant for selling a piece of land bearing Khata No.214, Plot No.329 measuring an area of 2720 sq.ft at the rate of Rs.12.70 lakhs per katha, upon which Rs.5 lakhs was transferred on 20.06.2022, Rs. 5 lakhs was transferred on 22.06.2022 through RTGS and Rs.45000 was transferred through Paytm and Rs.15000 was given as cash. The amount was transferred on the request of petitioner in the account of the co-accused Niraj Kumar. The allegation against the petitioner is that after taking money from the informant, he and co-accused Niraj Kumar re-



fused to execute the sale deed and also refused to return the amount.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is no specific overt act against the petitioner. The only allegation against the petitioner is that, on his request, informant transferred money to the co-ac-cused. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Kot-wali P.S. Case No.770 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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