

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70649 of 2023

Arising Out of PS. Case No.-129 Year-2017 Thana- BETTIAH CITY District- West
Champaran

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Kailash Kumar Singhania Son Of Late Om Prakash Singhania Resident Of
Mohalla - Lal Bazar, Ward No.20, Police Station - Bettiah, District - West
Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Srikant Mishra @ Santosh Mishra, S/o Late Ravindra Mishra, R/o Vill.
Jokahan, P.S. Manuthapul, District West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Pravesh Nath Tiwari
For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner apprehends his arrest in a case
registered for offence under Sections 420, 467, 469, 323, 307
and 384 of the Indian Penal Code.

3. As per prosecution case, despite taking Rs. 68 lacs
from the informant to sale the land, neither the petitioner
executed the sale-deed in favour of informant/opposite party no.
2 nor returned the money.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in this case. Police, after
investigation, submitted final form against the petitioner, as no
evidence, but the learned Court below has taken cognizance



under Section 420 of the Indian Penal Code against the petitioner. He further submits that petitioner, at no point of time, has entered into any agreement with the informant/opposite party no. 2 and signature of the petitioner on the agreement is forged. Petitioner has not received any money from the opposite party no. 2. As a matter of fact, present case is counter blast of Bettiah Town P.S. Case No. 160 of 2015 (Annexure – P/3), which was lodged by petitioner against informant and others.

5. However, learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail and submits that there is specific allegation against this petitioner that after receiving the consideration money, he refused to execute the sale-deed in favour of informant. He further submits that petitioner has got criminal antecedent and besides the present case, he is accused in nine criminal cases, out of which, most of the cases are of similar nature.

6. Considering the nature of accusation and criminal antecedent, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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