

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79379 of 2023

Arising Out of PS. Case No.-43 Year-2022 Thana- PHULWARISHARIF District- Patna

Vikash Kumar Son of Kameshwar Prasad Resident of Village- Bhusaula,
Danapur, Ps- Phulwarisariff, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhimanyu Deo, Advocate.

For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-01-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Phulwarisharif P.S Case No. 43 of 2022 dated 17.01.2022 registered for the offence punishable u/ss 406, 420 read with 34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons fraudulently sold the disputed land to the informant and his sister after taking



Rs. 25 lakhs.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case due to ulterior motive. The allegations levelled against the petitioner is general and omnibus in nature. The co-accused has already granted anticipatory bail by the Coordinate Bench of this court vide order dated 31.07.2023 passed in Cr. Misc No. 36162 of 2023. The petitioner has two criminal antecedents as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Patna in connection with Phulwarisharif P.S



Case No. 43 of 2022, subject to conditions as laid down
under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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