

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84314 of 2023

Arising Out of PS. Case No.-9674 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Babita Sinha Wife Of Late Amar Kumar Sinha R/O Chiraiyatar, Postal Park,
Nala Road, P.S.- Kankarbagh, Dist.- Patna. At Present Resident Of Budh
Nagar Road No. 3, Near Achar Factory, P.S.- Kankarbagh, Dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Kumar Son Of Late Rudal Sah R/O Mohalla- Arti Kunj (NEAR Jagat
Printing Press), Posal Park, Nala Road, P.S.- Kankarbagh, Dist.- Patna
... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the Opposite Party/s	:	Mr. Nand Kishore Prasad, APP
For the Informant	:	Mr. Surendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-01-2024 Heard Mr. Sanjay Kumar, learned counsel for the

petitioner, Mr. Surendra Kumar, learned counsel appearing on

behalf of the informant as well as Mr. Nand Kishore Prasad,

learned APP for the State.

2. The petitioner is apprehending his arrest in
connection with Complaint Case No. 9674(C) of 2022 for the
offences punishable under Sections 406, 420, 323, 342, 504,
506/34 of the Indian Penal Code.

3. According to prosecution case, the petitioner has
taken the consideration money from the complainant but did not
execute the sale deed in his favour.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner is not ready to return the amount in question to the complainant and as per agreement the complainant is required to pay the remaining amount for execution of the sale deed but he has not submitted the same. He further submits that although she has received Rs. 7 lakh but out of Rs. 7 lakh she has returned only Rs. 1.5 lakh to the complainant.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer of the petitioner and submits that even the petitioner has not annexed the copy of the agreement for sale.

6. Considering the aforesaid facts and circumstances and the submission made by the learned counsel for the petitioner, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Complaint Case No. 9674(C) of 2022 pending in the court of Judicial Magistrate 1st Class, Patna, Sadar.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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