

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7970 of 2024

Arising Out of PS. Case No.-219 Year-2022 Thana- SHRIKRISHNAPURI District- Patna

1. Anugrah Narayan Singh @ Amrendra Narayan Singh @ Anugrah Narayan Singh, Son Of Late Rajeshwar Prasad Singh, Resident Of Muhalla- Near Sainik Barti, Sheo Puram, Lane No.-1, Gola Road, P.S.- Danapur, District- Patna
2. Binod Kumar, Son Of Ram Jiwan Prasad, Resident Of Village - Salempur (SAFEPUR) P.S.- Kako, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mr. Pramod Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioners and learned
APP for the State as well as learned counsel for the informant.

2. In this present case, the petitioners are apprehending their arrest in connection with S.K. Puri P.S. Case No. 219 of 2022, registered for the offences under Sections 341, 323, 379, 504, 427, 387/34 of the Indian Penal Code.

3. As per prosecution case, petitioners and other co-accused persons assaulted the informant and damaged his office premises and also snatched a gold chain and a gold bracelet apart from Rs. 20,000/- from the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this



case. Petitioner no. 1 is retired Chief Manager of Indian Oversees Bank and petitioner no.2 is presently posted as Manager at Chennai in the Indian Oversees Bank. True fact of the case is that the informant being a builder offered low cost housing to the staff of Indian Oversees Bank and on his assurance, 250 persons pooled their resources and paid Rs. 16 crores to the informant who promised them to handover the flats in five years. The informant purchased the land and started construction and when the time came for handing over the flat to the investors, the informant sell out the flats at higher rates to the outsider. When the representatives of the investors met the informant in his office on 12.06.2022, he got them thrashed by his sons and bouncers and lodged a false case against the petitioners and others. Learned counsel further submits that wife of petitioner no.1 had deposited Rs. 5,51,000/- as cost of one flat and a registered agreement for sale was also executed. There is case and counter case between the parties and wife of petitioner no.1 has also instituted a case bearing S.K. Puri P.S. Case No. 241 of 2022 under Section 406, 420, 427 and 323/34 of IPC for the occurrence on 12.06.2022 but the informant managed to get the FIR suppressed and only on 26.06.2022 the FIR has been finally registered. Learned counsel further submits



that the allegations are not believable and all other sections in the FIR are bailable except Sections 379 and 387 of IPC. But the same are super-addition. The petitioners have got no criminal antecedent.

5. Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the prayer for anticipatory bail. Learned counsel for the informant submits that petitioner no.1 has not made any payment and it is not believable that flats could be available at such low cost. Learned counsel further submits that petitioner no.1 had worked with the informant for sometime and got paid for it.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the background of dispute between the parties and also considering the case and counter case between the parties coupled with strong possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna/concerned court in connection with S.K. Puri



P.S. Case No. 219 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

