

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1078 of 2024

Arising Out of PS. Case No.-241 Year-2022 Thana- SHRIKRISHNAPURI District- Patna

Ajay Singh S/O Late Jag Narayan Singh Office Address- Saroj Residency, A-9, Vivekanand Marg, Opposite, Sona Apartment, Patliputra Colony, P.S- Patliputra, Distt.- Patna. R/O Ram Krishna Nagar, Shivaji Chowk, Near Holyfaith School, P.S- Ram Krishnagar, Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Lalita Singh W/O Amrendra Narayan Singh @ Anugraha Narayan Singh A.N. Singh , Shivalityam, Shivpuram, Gola Road, Danapur, Patna- 801503.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 02-05-2024 Heard learned counsel for the petitioner, State and informant/opposite party no. 2.

2. The petitioner apprehends his arrest in a case registered for offence under Sections 406, 420, 427, 323, 34 of the Indian Penal Code.

3. As per prosecution case, the informant/O.P.-2 paid Rs. 4,01,000/- to the petitioner, who was the Director of Engicon Pvt.Ltd., and he promised that two separate flats (3 BHK) would be allotted to the informant and her husband in Rs. 11 lacs and Rs. 9 lacs within five years under the development of township, but the petitioner ultimately failed to provide the flat and allotted the flat to other customers and grabbed the money of informant.



4. Learned counsel for the petitioner submits that allegation alleged against petitioner is baseless and has been filed only with a view to extort money. He further submits that so far as cheating of informant's money is concerned, petitioner has already refunded Rs. 4,01,000/- on 02.09.2014, Rs. 11,00,000/- on 13.12.2023 and Rs. 9,00,000/- on 13.12.2023 (photocopies of refund receipts are annexed as Annexure 3 series). Petitioner has got clean antecedent.

5. Learned A.P.P. for the State and learned counsel for the opposite party no. 2 opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge-cum-ACJM IV, Patna / concerned court in connection with S.K. Puri P.S. Case No. 241 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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