

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31570 of 2024**

Arising Out of PS. Case No.-277 Year-2023 Thana- DARBHANGA District- Darbhanga

Prasun Banerjee son of Pradip Kumar Banerjee @ Pradip Banerjee Resident  
Of Raj Kumar Ganj Ps- Town District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Banwari Prasad, s/o- Late Satyanarayan Prasad Kedia resident of Mohalla  
-Saudagar, Gullobara, P.O.-Lalbagh, P.S.-Town, Darbhanga

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Chandan Jha, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

4      11-08-2025                      Heard learned counsel for the petitioner and learned APP  
for the State.

2. The petitioner apprehends his arrest in connection with  
Darbhanga Town P.S. Case No. 277 of 2023, registered for the  
offences punishable under Sections 420, 419, 467, 468, 471, 406, 34  
and 120(B) of the Indian Penal Code.

3. The case of the prosecution is that despite payment being  
made by the informant to Anamika Singh in lieu of a plot of land, the  
same was never registered in favour of the informant by the said  
Anamika Singh and the present petitioner, Prasun Banerjee was  
beholder of the power of attorney of the said Anamika Singh and  
hence, he was also instrumental in forging of the *Jamabandi* receipt  
and cheating the informant.

4. Learned counsel for the petitioner submits, at the

outset, that the petitioner is in the legal profession and but for the fact that before entering into the profession he had held the power of attorney on behalf of Anamika Singh, he has no other role in the entire transaction of money which took place between the said Anamika Singh and the informant. It has further been submitted that at the relevant date of occurrence, the petitioner was suffering with some serious medical illness for which he was undergoing treatment and the documents of AIIMS, Delhi and other medical documents have been annexed to the present application as Annexure P10. Further, it has been submitted that the petitioner has been made accused in this case, as he was looking after the affairs of Raghapur Estate, a share of which belonged to the deceased husband of the co-accused Anamika Singh. The allegation against the petitioner remains confined to the fact that he was the one who had made the informant believe the fact that the land in question was without any encumbrances and was, thus, fit for sale and purchase. It is further submitted that one of the co-accused Raghav Sharaf, who was a close relative of the informant, was also made an accused in the present case and it was he, who had taken over all the work of the petitioner's office and the money has also been received either in the account of Anamika Singh or Raghav Sharaf. The petitioner is nowhere involved in either the receiving of the money and nor he is a signatory on the agreement arrived at between the informant and the co-accused persons with regard to some other business. It is next

submitted that there are number of litigations pending between the informant and the co-accused persons and a suit for cancellation of the sale deed has also been filed which is pending adjudication and hence, the nature of dispute is purely civil and the petitioner has no direct role to play in the entire offence.

5. Learned APP for the State opposes the grant of anticipatory bail to the petitioner.

6. Taking into consideration the fact that the role of the petitioner is confined to only certifying the nature of land and he is neither the person who has prepared or executed the sale deed or has received any money, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Darbhanga Town P.S. Case No. 277 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023.

**(Soni Shrivastava, J.)**

Jyoti Kumari/-

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