

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33618 of 2025

Arising Out of PS. Case No.-788 Year-2015 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Vinay Kumar Sharma @ Vinay Kr. Sharma S/o Jagdish Prasad Sharma R/o vill - Jatkauli, P.S. and Distt.- Vaishali, presently reside at Baidehi Bhawan, R.K. Aashram, Bela, C/OT.N. Jha, Unian Bank, P.S. - Bela, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shyam Kishore Singh S/o Late Ganesh Prasad Singh R/o vill - Patahi, L.P. Sahai College Road, P.s. - Sadar, Distt.- Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate
For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-07-2025 Heard Mr. Nachiketa Jha, learned counsel for the petitioner and Mr. Murli Dhar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Trial No. 1027 of 2019 arising out of Complaint Case No. 788 of 2015, FIR dated 06.04.2015 registered for the offences punishable under Sections 420 and 468 of the Indian Penal Code.

3. According to prosecution case, the complainant alleges that the accused persons, who are land brokers, induced him into a land deal. They showed him a 5 *katha* plot (Khata



No. 972, Khesra No. 2836) and finalized the deal at Rs. 15 lakhs. He paid Rs. 3 lakhs in cash on 01.07.2012, Rs. 5 lakhs via two cheques, Rs. 4.5 lakhs through two more cheques on 14.09.2012 and Rs. 1 lakh via cheque on 15.11.2012, allegedly for land at village-Maniyari. Despite collecting the full amount, the accused including the petitioner did not execute the land sale or return the money.

4. Learned counsel for the petitioner submits that the allegation as alleged in the complaint petition is false and fabricated and the petitioner has not committed any offence as alleged in the complaint petition but the learned Court below, in a mechanical manner, took cognizance against the petitioner under Sections 420 and 468 of the Indian Penal Code.

5. Learned A.P.P. for the State, on other other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the complaint petition has been filed in the year 2015 and the cognizance has been taken against the petitioner on 12.04.2016 and thereafter the petitioner has approached the learned Trial Court for grant of anticipatory bail in the year 2019 and the same was rejected by the learned Trial Court thereafter, the petitioner has not approached anywhere and suddenly, in the year 2025, he has assailed the order which



was passed by the learned Trial Court in the year 2019 which suggests that the petitioner has no apprehension of his arrest.

6. Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Trial No. 1027 of 2019 arising out of Complaint Case No. 788 of 2015 pending in the court of learned J.M.-1st Class (East), Muzaffarpur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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