

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76538 of 2023

Arising Out of PS. Case No.-1445 Year-2022 Thana- DANAPUR District- Patna

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PRAVIN KUMAR SINGH Son of Satyendra Narayan Singh Resident of
Shanti Bhawan, Puran Chak, Badhi Tola, Behind City Court, Patna City,
Police Station - Alamganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Adv.
For the Opposite Party/s : Mr. Umanath Mishra, APP
For the Informant/s : Mr. Punit Kumar, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

8 31-10-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Danapur P.S Case No. 1445 of 2022 dated
13.12.2022 registered for the offences punishable u/s 420 and
406 of the Indian Penal Code.

3. As per the prosecution case, the informant had
purchased two flat and entered into an agreement with the
petitioner on 17.11.2017. As per the agreement the informant
has paid 90% of the total consideration amount of Rs.
41,30,400/- but till now neither the registration of the flat has
been done nor the ownership of the flat has been given by the



petitioner and due to the aforesaid acts, the informant is facing financial and mental hardship.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. There is no specific overt act against the petitioner. It is a case of civil dispute. It is further submitted that the petitioner has not cheated anyone rather the delay has been occurred due to the global disease (Covid-19). It is further submitted that the petitioner being the partner of the firm is ready to return the amount along with the work interest to register the flats in favour of the informant after compliance of the order of the Rera Court in which it has been directed to the firm to firstly handover the 50% share to the land owner and after handing over the same the firm can sale the flats to other person.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner. It is further submitted that from perusal of the records, it appears that after the payment of 90% of the total amount, the petitioner have not delivered the possession of the flat to the informant. It is further submitted that the petitioner had intention to cheat the



informant from the very beginning of the transaction. So the offence u/s 420 is made out against the petitioner. The petitioner also harassed the informant in various ways. As per the case diary submitted by police, all the witnesses have supported the prosecution case.

6. Considering the aforesaid facts and circumstances of the case as well as the seriousness of allegation against the petitioner. It is not fit case for anticipatory bail of the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected and the petitioner is directed to surrender before the Court below concerned within eight weeks from the date of this order and pray for regular bail, the learned Court below may consider the prayer for regular bail of the petitioner in accordance with law and on its own merits without being prejudiced by this order.

7. This application is rejected.

(Chandra Prakash Singh, J)

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