

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26636 of 2025

Arising Out of PS. Case No.-1137 Year-2022 Thana- KANKARBAG District- Patna

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Anil Kumar @ Anil Kumar Sinha S/O N. K. Sinha R/O House No. 01, Ward
No.-10 Sarari, P.S.- Sahpur, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
 2. Nirmala Pandey W/O Shivaji Pandey R/O Rental F. No. 279, Kankarbagh
Colony, Patna. A/P- H. NO.-228, Ganga Niketan Behind Bina Hosp. Dewas,
M.P.
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mrs. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

9 24-04-2026 Heard Ms. Eashita Raj, learned counsel for the petitioner
and Mrs. Anita Kumari, learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection
with Kankarbagh P.S. Case No. 1132 of 2022 for the offence under
sections 420 and 406 of the I.P.C lodged on 29.11.2022 by the
informant, Nirmala Pandey.

3. As per the prosecution story, the informant alleged that
she booked a flat in Agrani Nagar, Phase-5, Patna and accordingly
payments were made and this petitioner serving as the Director of the
'AGRANI' along with Alok Kumar assured possession or refund
within 48 months. However, nothing came out, she demanded refund
but they refused to do so. The allegation is that out of Rs.43,65,000/-
(Forty Three Lakh and Sixty Five Thousand), she paid
Rs.10,15,000/-(Ten Lakh and Fifteen Thousand) and feeling cheated,
the case.



4. Learned counsel for the petitioner submits that contrary to the allegation made in the F.I.R, he is not a Director of 'AGRANI' and was merely serving as an Associate Manager to the CDM, Alok Kumar.

5. Mr. Jitendra Kumar Singh, learned A.P.P opposes the prayer submitting that not only he is the Director of 'Agrani House Private Limited', para 3 of the petition clearly shows that he has committed fraud with other persons too as a result whereof, two cases viz. (i) **Patliputra P.S. Case No. 831 of 2022** lodged under **sections 420 and 406 of the I.P.C.** and (ii) **Patliputra P.S. Case No. 831 of 2022** again lodged under **sections 406, 420 of the I.P.C** are there under his belt. In short, he is a habitual offender.

6. Considering the allegation that has come against the petitioner coupled with the fact that he has two criminal antecedents of the same nature, in that background, it would be appropriate that the petitioner seeks bail.

7. The anticipatory bail application stands rejected.

8. However, if the petitioner surrenders in four weeks and prays for bail, that it be taken up and disposed of preferably on the same date.

(Rajiv Roy, J)

vashudha/-

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