

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31725 of 2015

Arising Out of PS.Case No. -325 Year- 2011 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Nawal Kishor Prasad S/o Late Gauri Shanker Prasad Resident of
Mohalla - Kunkun Singh Lane, P.S. Pirbahore, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Zahida Perveen W/o Nasim Ahmad resident of village - Akraha, P.S.
Ram Nagar, District - Purnia, At Present Nepali Kothi, Old Montesary
Building Near British Lingua, Boarding Road Chauraha, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.Ii

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 03-08-2015 Heard learned counsels for the petitioner and

the State.

The petitioner is apprehending arrest in a

complaint case in which process has been directed to

be issued after cognizance being taken for the offences

punishable under Sections 418.406,323 and 504 of the

Indian Penal Code.

It is alleged that the petitioner took Rupees

Two Lacs from the complainant for transfer of land but

he neither executed the sale deed nor returned the

money.

It is submitted by the learned counsel for the petitioner that though the petitioner has returned rupees one lac but still ready to return rupees two lacs within five months through bank draft in favour of the complainant.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Patna in connection with Complaint Case No. 325 C of 2011 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail will be confirmed by the learned court below on submission of bank draft of Rupees Two lacs in favour of the complainant before the learned court below. The said draft will be released in favour of the complainant on filing of an application for withdrawal/compromise of the complaint by the complainant. In case the complainant declines to file such



application before the learned court below, the petitioner will deposit cash of rupees two lacs before the learned court below which will be invested in some fixed deposit scheme which will be subject to the result of the case.

(Dinesh Kumar Singh, J)

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