

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56446 of 2015

Arising Out of PS.Case No. -111 Year- 2015 Thana -VISHNUPAD District- GAYA

Dinesh Prasad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Shailendra Kumar 1 (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-12-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code and Section 138 of the Negotiable Instruments Act.

It is alleged that the petitioner and his sons took ₹5 lakhs for transfer of a land but neither the land was transferred nor the money was returned subsequently a cheque was issued which got bounced.

It is submitted by learned counsel for the petitioner that the alleged cheque was issued by the son of the petitioner. Moreover, now the amount has already been paid, statement to that effect has been made in para 9 of the petition which reads as follows:-

“That when the petitioner came to know the alleged

agreement of the sale of the land in question the son of the petitioner, namely, Rajesh Kumar returned the entire amount to the informant by a cheque of UCO Bank, bearing cheque No. 239615 dated 05.11.2015 amounting to Rs. 5 lakhs and the same has been gladly accepted by the informant.”

It is further submitted that informant has entered into compromise and filed a petition to that effect before the learned court below.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gaya in connection with Bishnupad P.S. Case No. 111 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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