

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32705 of 2015

Arising Out of PS.Case No. -140 Year- 2015 Thana -KANKARBAGH District- PATNA

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Dharamnath Prasad, S/o Suresh Ram, r/o 291 Defence Colony, P.S.
Kankarbagh, District-Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Adv.

For the Opposite Party/s : Mr. C.Jawahar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 18-08-2015 Heard both sides.

The petitioner seeks bail in Kankarbagh P.S. Case No. 140/2015, registered for the offences punishable under Sections 406, 420 of the Indian Penal Code and Section 138 of N.I. Act.

The informant alleged that the petitioner introduced the owner of the flats and on his assurance the informant handed over Rs. 28,00000/- to Anugrihit Baba and Rinku. They also acknowledged the receipt of the same. The petitioner also received Rs. 4,50,000/- for other expenses but when Anugrihit Baba and Rinku did not execute the sale-deed with regard to the flat, the informant asked the petitioner. The petitioner returned Rs. 8,00000/- in cash and handed over the cheque of Rs. 9,00000/-. The same cheque was dishonoured but thereafter the petitioner deposited Rs. 49,990/- in the Bank account of the informant. Only

Rs. 50,010/- is lying due against the petitioner and the petitioner is ready to give the same within one month from the date of receipt of this order. The petitioner is in jail since 24.04.2015.

Learned counsel for the informant, however, vehemently opposed the prayer for bail and submitted that it was the petitioner who cheated the informant, as the petitioner enticed him to hand over the money to Anugrihit Baba.

The dispute appears to be of civil nature and petitioner has already returned the maximum amount.

Considering the facts aforesaid and the fact that the petitioner is ready to pay Rs. 50,010/-, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Mrs. Chipra Chala Anjali, Judicial Magistrate 1st Class, Patna, in connection with Kankarbagh P.S. Case No. 140/2015.

(Prabhat Kumar Jha, J.)

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