

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1889 of 2015

Arising Out of PS.Case No. -473 Year- 2013 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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Uday Kumar Gautam S/o Sheodhari Das @ Sheodeni Das Resident of
village - Charkawan Nonia Tila, P.S. Rafiganj, District - Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

2. Sujeet Kumar S/o Devendra Prasad Chaurariya Resident of village -
Behind of Lalita Cinema, Rafiganj, P.S. Rafiganj, District - Aurangabad

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mrs. Leelawati Kumari

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 20-05-2015

Heard learned counsel for the petitioner, learned

A.P.P. as well as learned counsel for the complainant.

The petitioner apprehends his arrest in a case under
Sections 323, 379 and other sections of the Indian Penal Code.

The complainant stated that the petitioner took Rs.
2,88,000/- for executing a sale deed with regard to a piece of land
but neither sale deed was executed nor money was returned. The
petitioner handed over a cheque of Rs. 2,88,000/- but when the
same was presented before the Bank, the cheque was not honoured
on the ground of insufficiency of fund. Learned counsel for the
petitioner submits that the petitioner is ready to return the money
in two equal installments.

Considering the facts aforesaid, the above named

petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, 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 the learned Chief Judicial Magistrate, Aurangabad in Complainant Case No. 473/2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with a further condition that the petitioner shall repay the first installment of Rs. 1,44,000/- within one month from today and the second installment shall be paid within one month thereafter. If the petitioner fails to repay the amount to the complainant, the learned court below shall cancel the bail bonds of the petitioner.

Dilip/-

(Prabhat Kumar Jha, J)

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