

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18522 of 2016

Arising Out of PS.Case No. -265 Year- 2014 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

=====

Lekha Prasad S/o Late Nav Ratan Prasad, R/o Village- Banjaria, P.S.- Pipra,
District- East Champaran, Motihari. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

=====

Appearance :

For the Petitioner/s : M/s. Sharda Nand Mishra, Deepak Kumar
Rajiv Ranjan, Harish Patel, Advs.

For the Informant : Mr. Abhishek Kumar

For the State Mr. Nazir Ansari (App)

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

8 14-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

This case is arising from B.P. No. 572 of 2016, which
was referred to the Police under section 156 (3) Cr.PC. and that
was registered as Pipra P.S. Case No. 265 of 2014 for offences
under sections 323, 406, 420, 504, 506 of the Indian Penal Code
and 138 of the N.I. Act.

As per the statement, the petitioner has taken
Rs. 5,00,000/- (five lacs) from the informant for purchase of the
land, later on, he has returned the money by Cheque which was
returned by the Bank due to insufficient fund in the Account
which led to the present proceeding.

The counsel for the petitioner submits, the said



Cheque was given under the pressure exerted by the informant. In reality, there is no outstanding against the petitioner and as such, the petitioner is not required to return any amount. The matter was referred to the Patna High Court Mediation Board to resolve the dispute but it failed.

Earlier, this Court vide order dated 9th May 2016, had granted anticipatory bail to the petitioner which is confirmed, subject to the condition that he would deposit half of the Cheque amount i.e. Rs. 1,25,000/- in the court below within two months from today and rest amount, i.e. Rs. 1,25,000/-, will be deposited one month thereafter. If he fails to deposit the aforesaid amount within the prescribed time, the privilege of bail granted to him, will be treated to have been withdrawn. The said amount will be deposited in the court below and it will be released in favour of the person, who will succeed in the proceeding of the trial Court.

(Shivaji Pandey, J)

Mahesh/-

U		T	
---	--	---	--

