

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3097 of 2016

Arising Out of PS.Case No. -781 Year- 2015 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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1. Sunil Kumar Chaubey son of Late Girija Kant Choubey, Resident of
village/Mohalla- Kamalnath Nagar, P.S.- Bettiah Town, District- West
Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Dashrath Mehta(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 11-04-2016 Heard learned counsel for the petitioner and

learned counsel appearing on behalf of the State-Opposite Party

No. 2.

The petitioner is apprehending his arrest in
connection with Bettiah (Town) P.S. Case No. 781 of 2015
registered for the offences punishable under Sections 406,
420/34 of the Indian Penal Code and Section 138 of the N.I. Act.

Learned counsel for the petitioner submits that
there was an agreement to sell a piece of land for which the
petitioner had taken Rs. 15,00,000/- but subsequently, the sale
could not be materialized and, therefore, the petitioner vide a
recital contained in Annexure-4 agreed to return back the

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aforementioned amount of Rs. 15,00,000/- to the informant. The said document Annexure-4 dated 04.06.2015 clearly reveals that henceforth, there would be no further claim on behalf of the informant. It is submitted that for the reasons best known to the informant, he went back on this document and has filed the present case.

In view of the clear recital contained in Annexure-4, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah (Town) P.S. Case No. 781 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

It is made clear that the petitioner shall co-operate in trial as and when is required and shall be personally present to assist the Court in accordance with law.

(Anjana Mishra, J)

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