

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31514 of 2016

Arising Out of PS.Case No. -16 Year- 2016 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

1. Ranjeet Kumar Jha S/o Prem Kumar Jha R/o Mohalla-26, Anugrah Narayan Path, Boring Road, P.O.- Shri Krishnapuri, Dist- Patna, Director of Libra Hitech Homes Pvt. Ltd. & Grih Vatika Home Pvt. Ltd., at Boring Road, Patna.

..... Petitioner/s
Versus

1. The State of Bihar

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durga Narayan
For the Opposite Party/s : Mr. Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 03-10-2016 Heard both sides.

The petitioner apprehends his arrest in Pipra P.S. Case No. 16 of 2016, registered for the offences punishable under Sections 420 and 406 of the Indian Penal Code and 138 of the N.I. Act.

The informant alleged that in pursuance of the advertisement he intended to purchase flat no. 102 of Libra Hitech and the informant paid Rs. 6,21,118/- on 13.10.2014 and received the acknowledgement of the receipt. When the informant did not get the flat in his admission, the informant demanded his money. The Director of the Libra Hitech issued two cheques, one of Rs.

3,10,559/- and another of the same amount i.e. Rs. 3,10,559/-. The informant deposited the same in his account but both the cheques were dishonoured. It is further alleged that the informant received 1,50,000/-. Still Rs. 4,71,181/- is lying due against the construction company Libra Hitech.

Learned counsel for the petitioner submits that the petitioner has already paid Rs. 1,50,000/- to the informant through RTGS. The petitioner also paid Rs. 1,00,000/- cash on 20.11.2015, Rs. 1,50,000/- on 14.12.2015 and Rs. 2,00,000/- on 28.12.2015 and all the receipts bear the signature of the informant. Only meager amount is lying due against the petitioner and the petitioner is ready to deposit the same.

Learned counsel for the informant as well as learned Additional P.P. opposed the prayer of anticipatory bail and submitted that the informant received only Rs. 1,50,000/- through RTGS. The informant did not receive any further amount nor put his signature on any acknowledgement of receipt.

It appears that the receipt produced by the petitioner as Annexure- 2 series shows that there is signature of the informant on that receipts but the informant denied his signature.

Considering the nature of allegations made against the petitioner and the fact that the petitioner claims to have made all

the payments, the petitioner above named in the event of his arrest or surrender before the 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, Motihari, East Champaran in connection with Pipra P.S. Case No. 16 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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