

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21841 of 2016

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Suresh Prasad Gupta @ Suresh Kumar Gupta son of Late Yamuna Das
resident of village- Pakadi Kanth, P.S.- Lalganj, District- Vaishali at
Hajipur

.... Petitioner

Versus

1. The State of Bihar
2. Mintu Kumar S/o Late Ram Snehi Thakur resident of village- Pojhiya,
Ward No. 17, P.S.- Lalganj, District- Vaishali at Hajipur

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Navjot Yesu, Advocate.

For the Opposite Party : Mr. Mukesh Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 21-07-2016 Heard both sides.

The petitioner apprehends his arrest in Complaint Case
No. 3171 of 2015 registered for the offence punishable under
Section 420 of the Indian Penal Code and under Section 138 of the
Negotiable Instrument Act.

The complainant alleged that the petitioner agreed to
sale a piece of land for which the complainant paid a sum of Rs.
10,00,000/- through a cheque, but the petitioner neither executed
the sale deed nor returned the money.

It is submitted that the petitioner never agreed to sale
any piece of land, in fact, the complainant forcibly snatched his
cheque for that the petitioner filed Complaint Case No. 2370 of

2015, three months prior to lodging of this complaint case.

Learned counsel for the complainant however opposed the prayer for anticipatory bail of the petitioner.

It appears that there is no written deed of agreement to sale, of course, it appears that the cheque was issued by the complainant was not honoured and it is a simple case of bounce of cheque.

Considering the facts aforesaid, 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 Additional Chief Judicial Magistrate-X, Vaishali at Hajipur in Complaint Case No. 3171 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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