

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34196 of 2016

Arising Out of PS.Case No. -2089 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

=====

Sakal Pd. Singh, son of late jeth Singh, resident of Mohalla- Indra Nagar
Atardah, P.S. Sadar, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Ramchandra Rai, son of Bhola Rai, resident of Mohalla- Indra Nagar
Atardah, P.S. Sadar, District- Muzaffarpur.

.... Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Amrendra Kumar, Advocate.
For the State : Mr. Sri Asharaf Ansari, A.P.P.
For the O.P. No. 2 : Mr. Upendra Kumar, Advocate and Mrs. Kumari
Sujata Sinha, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 14-12-2016 Learned counsel for the petitioner is permitted to make

necessary correction in paragraph no. 3 of the petition in light of

supplementary affidavit, in course of the day.

Heard learned counsels for the petitioner, complainant
and learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 2089 of 2014, corresponding to Tr. No.
368/2015 for the offences instituted under Sections 406 of the IPC
and 138 of N.I. Act.

The prosecution story, in brief, is that the petitioner and
the complainant entered into an agreement for sale of a land for



consideration amount of Rs. 8,50,000/-. The complainant paid Rs. 4,50,000/- to the petitioner as earnest money. Later on, the complainant came to know that the said land does not belong to the petitioner rather it belongs to one Jagarnath Sah. He demanded his money. The petitioner gave a cheque of Rs. 1,00,000/- which got bounced.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The matter relates to civil dispute. It is further submitted that the petitioner is ready to hand over a Demand Draft No. 818706 000234000 dated 13.12.2016, issued by the Indusind Bank, Bhagwanpur of Rs. 1,00,000/-, in favour of the complainant.

Learned counsel for the complainant is present in the Court and she received the aforesaid Demand Draft of Rs. 1,00,000/- after putting signature in the margin of the order sheet.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 2089 of 2014, corresponding to Tr. No. 368 of 2015 on furnishing



bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

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

(Sudhir Singh, J)

