

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8247 of 2017

Arising Out of PS.Case No. -1916 Year- 2013 Thana -GAYA COMPLAINT CASE District- GAYA

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Nand Kishore Pd. Ambastha, Son of Late Kapildeo Prasad, Resident of
Village/Mohalla- Mocharim, P.S.- Bodhgaya, District- Gaya.

.... Petitioner

Versus

1. The State of Bihar.
2. Aftab Ahmad Khan alias Munna Khan S/o Late Mustaque Ahmad Khan,
Resident of Village/Mohalla- Bajaja Road, P.S.- Kotwali, District- Gaya.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Manish Kumar No-2, Advocate.

For the Opposite Parties : Mr. Dr. Kumar Uday Pratap, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 15-03-2017 Heard both sides.

The petitioner apprehends his arrest in Complaint Case
No. 1916 of 2013 registered for the offences punishable under
Sections 420, 504 of the Indian Penal Code and under Section 138
of the N.I. Act.

In sum and substance the complainant alleged that the
petitioner took Rs. 6,51,000/- from him for selling 17 Katthas of
land. The petitioner returned Rs. 4,51,000/- in cash. On
01.07.2013 for Rs. 2,00,000/-, two cheques of Rs. 75,000/- and
one cheque of Rs. 50,000/- were issued. Out of three cheques two
cheques of Rs. 75,000/- could not be honoured.

Learned counsel for the petitioner submits that the



petitioner is ready to return Rs. 1,50,000/- within three months from the date of receipt of this order. It is further submitted that no offence under Section 420 of the Indian Penal Code is made out.

Considering the facts aforesaid and the fact that the petitioner is ready to return Rs. 1,50,000/- within three months from the date of receipt of this order, 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 Judicial Magistrate, Ist Class, Gaya in Complaint Case No. 1916 of 2013, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure and if the petitioner fails to return Rs. 1,50,000/- within three months through draft to the complainant the court below shall cancel the bail bond of the petitioner.

(Prabhat Kumar Jha, J.)

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