

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24639 of 2017

Arising Out of PS.Case No. -48 Year- 2017 Thana -JOGAPATTI District- WEST CHAMPARAN
(BETTIAH)

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Deepu Kumar son of Bishundeo Sah resident of village - Machhargawan,
P.S. - Yogapatti, District - West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Vinod Gautam, Advocate.

For the Opposite Party/s : Mr. Ramesh Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 12-06-2017 Heard Sri Vinod Gautam, learned counsel for the
petitioner, and Sri Ramesh Chandra, learned A.P.P. for the State.

The petitioner is seeking anticipatory bail in
Yogapatti P.S. Case No. 48/2017 registered under Sections 406
and 420 of the Indian Penal Code.

The allegation against the petitioner is that he had
received a sum of Rs. 5,00,000/- from the informant with the
consent of his mother to purchase a shop and the land but he failed
to execute the deed and even after a settlement took place before
the Panches as back as 05.01.2015, which is apparent from the
document annexed as part of the F.I.R., the petitioner has not
refunded the amount and, therefore, there is an allegation of
criminal breach of trust and cheating.

Learned counsel for the petitioner would submit that



a civil dispute is going on between the parties and, hence, it is a matter of civil dispute, therefore, the privilege of anticipatory bail be granted to the petitioner. He, however, further submits that the petitioner is ready to deposit the money in the Nazarat within two months subject to the result of the case.

Learned A.P.P. opposed the prayer for anticipatory bail.

Considering the submissions that the petitioner is ready to deposit the entire amount of Rs. 5,00,000/- in the Nazarat before the court below within two months from today, let the petitioner, namely, Deepu Kumar, in the event of his arrest or surrender before the learned 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 A.C.J.M. II, Bettiah, West Champaran in Yogapatti P.S. Case No. 48/2017, subject to the conditions under Section 438(2) of the Code of Criminal Procedure. In case of failure to deposit the amount as aforesaid, the bail bond of the petitioner shall be cancelled.

(Rajeev Ranjan Prasad, J)

Dilip, AR

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