

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41724 of 2017

Arising Out of .Case No. -913 Year- 2015 Thana -COMPLAINT CASE District- KISANGANJ

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1. Md. Azad Hussain son of Late Md. Ilyas Resident of Village - Chakla,
Police Station - Kishanganj, District - Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rubeda Khatoon W/o Abdul Latif r/o village - Rahmatpara (Dakupara),
P.S. Kochadhaman, District Kishanganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 21-12-2017

Heard both sides.

The petitioner apprehends his arrest in Complaint case No. 913C of 2015 for the offences allegedly committed by the petitioner under Section 420, 504 of the Indian Penal Code and under Section 138 of the N. I. Act.

The gist of the allegation is that petitioner purchased a land from the complainant and gave Rs. four lac to the complainant. The petitioner gave a cheque of Rs. two lac but when the cheque was presented the same was dishonoured.

The learned counsel for the petitioner submits that the petitioner paid the entire amount. The cheque of Rs. two lac was given as security amount but later on the complainant filed



this case making false allegation.

On the other hand the learned counsel for the complainant vehemently opposed the prayer for anticipatory bail and submitted that petitioner did not pay Rs. two lac to the complainant for which he had given cheque and when the cheque was presented the same was not honoured.

Having considered the fact that the dispute arose for payment of consideration amount and petitioner has paid the entire amount, the provisional bail granted to be petitioner by order dated 20.09.2017 is hereby confirmed. The petitioner is directed to remain on bail on the same bail bonds.

(Prabhat Kumar Jha, J)

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