

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46820 of 2017

Arising Out of PS.Case No. -495 Year- 2014 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

=====

1. Alok Ranjan Choubey, son of Guptnath Chaubey, resident of Village
Bahera, P.S. Kudra, District Kaimur at Bhabua Petitioner

Versus

1. The State of Bihar.

2. Kamlesh Tiwari, Son of Dipty Tiwary, resident of Village Katara Kala,
P.S. Mohania, District- Kaimur at Bhabua Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Pawan Kumar Singh, Adv.

For the State : Mr. Mukeshwar Dayal, APP 37

For the complainant : Mr. Alok Kumar Jha, Adv.

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 09-11-2017 Heard the learned counsel for the petitioner, The
learned Additional Public Prosecutor and the learned counsel for
the complainant.

The petitioner apprehends his arrest in Complaint
Case No. 495 of 2014 registered under Sections 406, 420 and 504
of the Indian Penal Code and 138 of the Negotiable Instrument
Act.

The complainant alleged that the petitioner took
Rs.16,40,000/- for purchase of a piece of land, but, petitioner
neither executed the deed nor returned the money. The petitioner
issued two cheques, one for Rs.8,00,000/- and another for
Rs.8,40,000/-, but, both the cheques were bounced.

The learned counsel for the petitioner submits that
the petitioner purchased the piece of land from the aunt of the
complainant and the petitioner gave cheques for consideration of
the aforesaid amount, but, later on the complainant on frivolous
ground filed the complaint case.



The learned counsel for the complainant vehemently opposed the prayer for bail and submitted that the petitioner with intention to cheat the complainant took the money and he is not willing to return the same. It appears that dispute arose due to lending of money and the same is of civil nature.

Considering the facts, aforesaid, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Complaint Case No. 495 of 2014** to the satisfaction of the **Chief Judicial Magistrate, Kaimur at Bhabhua**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Prabhat Kumar Jha, J)

SA/-

U	√	T	√
---	---	---	---

