

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47039 of 2017

Arising Out of PS.Case No. -51 Year- 2017 Thana -BIHTA District- PATNA

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1. Navin Kumar @ Balbir Son of Late Umesh Sharma Resident of Village-
Purainiya P.S.-Bihta, District-Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh

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

ORAL ORDER

3 09-11-2017 Heard both sides.

The petitioner apprehends his arrest in Bihta P.S. Case
No.51 of 2017 under Section 406, 420 of the I.P.C. and 138 of the
N.I.Act.

The learned counsel for the petitioner submits that the
petitioner gave two cheques as security in lieu of money received
by the landlord. It is submitted that the marriage of the informant
took place in the village of the petitioner and informant was
willing to purchase a piece of land. He advanced Rs.80,000/- but
later on, the informant did not pay the entire consideration amount
and started demanding return of the advance amount. Since the
petitioner was mediator, he gave two cheques one of Rs.67,000/-
and another of Rs.38,000/- but the informant presented the
cheques which were bounced. It is further submitted that the



informant made interpolation in the cheques and inserted on one cheque of Rs.1,67,000. It is further submitted that petitioner never borrowed any amount from the informant.

On the other hand, the learned counsel for the informant as well as learned Additional P.P. opposed the prayer for anticipatory bail and submitted that petitioner wanted to grab the money of the informant.

It appears that some dispute arise between the two sides for return of money. The case of the petitioner that he gave two cheques as security in lieu of return of advance of Rs.80,000/- taken by the landlord.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner, above named, 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 learned A.C.J.M., Danapur in connection with Bihta P.S. Case No.51 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Saurabh/-

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